

Amendment No. 1.

17 (1) As used in this section, the term "designated holiday"
18 means:

19 (a) New Year's Eve, December 31;

20 (b) New Year's Day, January 1;

21 (c) Memorial Day, the last Monday in May; or

22 (d) Independence Day, July 4.

23 (2) This chapter does not prohibit the offer for sale,
24 sale, purchase, or use of fireworks that are to be used or used
25 solely and exclusively during a designated holiday.

26 (3) Any person who purchases fireworks must be 18 years of
27 age or older.

28 (4) A retailer or seasonal retailer charged with unlawfully
29 selling fireworks to a person under 18 years of age has a
30 complete defense if, at the time the fireworks were sold, the
31 retailer, seasonal retailer, or an employee or agent of the
32 retailer or seasonal retailer carefully checked a driver license
33 or an identification card issued by this state or another state
34 of the United States, a passport, or a United States Armed
35 Services identification card presented by the buyer, and acted
36 in good faith and in reliance upon the representation and
37 appearance of the buyer in the belief that the buyer was 18
38 years of age or older.

39 Section 3. This act shall take effect upon becoming law.

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41

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T I T L E A M E N D M E N T

42 Remove everything before the enacting clause and insert:
43 An act relating to fireworks; amending s. 791.01, F.S.;
44 amending the definition of "seasonal retailer"; creating s.
45 791.08, F.S.; defining the term "designated holiday";
46 providing an exemption for the purchase, sale, or use of
47 fireworks used or to be used solely and exclusively during
48 a designated holiday; providing an age requirement to
49 purchase fireworks; providing an affirmative defense;
50 providing an effective date.
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