

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Rodriguez, A. M. offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 791.08, Florida Statutes, is created to
6 read:

7 791.08 Use during designated holidays; exemption.-

8 (1) As used in this section, the term "designated holiday"

9 means:

10 (a) New Year's Day, January 1;

11 (b) Independence Day, July 4; or

12 (c) New Year's Eve, December 31.

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13 (2) This chapter does not prohibit the use of fireworks
 14 solely and exclusively during a designated holiday. This section
 15 is not intended to provide for the comprehensive regulation of
 16 fireworks as described in s. 10(5), chapter 2007-67, Laws of
 17 Florida, or to supersede any local governmental regulation
 18 relating to the use of fireworks as provided in s. 10(5),
 19 chapter 2007-67, Laws of Florida.

20 (3) The Legislature does not intend for the application of
 21 this section to supersede any current prohibition against the
 22 use of fireworks contained within a legally executed and
 23 properly recorded declaration of covenants or covenant running
 24 with the land of any homeowners' association pursuant to chapter
 25 720. However, a homeowners' association, through a board of
 26 administrators, a board of directors, or a governing body, may
 27 not promulgate rules or regulations that attempt to abrogate an
 28 individual's right to use fireworks during a designated holiday
 29 or under any other law of this state.

30 Section 2. This act shall take effect upon becoming a law.

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

34 Remove everything before the enacting clause and insert:

35 A bill to be entitled

36 An act relating to fireworks; creating s. 791.08,

37 F.S.; defining the term "designated holiday";

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38 providing an exemption for the use of fireworks solely
39 and exclusively during a designated holiday; providing
40 construction; providing legislative intent;
41 prohibiting homeowners' associations from promulgating
42 certain rules or regulations; providing an effective
43 date.

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