

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 Between lines 1860 and 1861, insert:

5 Section 47. Subsection (7) of section 514.0115, Florida  
6 Statutes, is renumbered as subsection (8), and a new subsection  
7 (7) is added to that section, to read:

8 514.0115 Exemptions from supervision or regulation;  
9 variances.-

10 (7) Until such time as the department adopts rules for the  
11 supervision and regulation of surf pools, a surf pool that is  
12 larger than 4 acres is exempt from supervision under this  
13 chapter, provided that it is permitted by a local government

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14 pursuant to a special use permit process in which the local  
15 government asserts regulatory authority over the construction of  
16 the surf pool and, in consultation with the department,  
17 establishes through the local government's special use  
18 permitting process the conditions for the surf pool's operation,  
19 water quality, and necessary lifesaving equipment. This  
20 subsection does not affect the department's or a county health  
21 department's right of entry pursuant to s. 514.04 or its  
22 authority to seek an injunction pursuant to s. 514.06 to  
23 restrain the operation of a surf pool permitted and operated  
24 under this subsection if the surf pool presents significant  
25 risks to public health. For the purposes of this subsection, the  
26 term "surf pool" means a pool designed to generate waves  
27 dedicated to the activity of surfing on a surfboard or an  
28 analogous surfing device commonly used in the ocean and intended  
29 for sport, as opposed to general play intent for wave pools,  
30 other large-scale public swimming pools, or other public bathing  
31 places.

32 Section 48. Subsection (7) of section 553.77, Florida  
33 Statutes, is amended to read:

34 553.77 Specific powers of the commission.—

35 (7) Building officials shall recognize and enforce  
36 variance orders issued by the Department of Health pursuant to  
37 s. 514.0115(8) s. ~~514.0115(7)~~, including any conditions attached  
38 to the granting of the variance.

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**T I T L E   A M E N D M E N T**

Remove line 148 and insert:  
under certain circumstances; amending s. 514.0115,  
F.S.; providing that certain surf pools are exempt  
from supervision for certain provisions under certain  
circumstances; providing construction; defining the  
term "surf pool"; amending s. 553.77, F.S.; conforming  
a cross-reference; amending ss. 491.0046 and