

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Overdorf offered the following:

**Amendment (with title amendment)**

Between lines 1860 and 1861, insert:

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

514.0115 Exemptions from supervision or regulation; variances.—

(7) A surf pool that is larger than 4 acres is exempt from supervision under this chapter provided that it is permitted by a local government pursuant to a special use permit process in which the local government asserts regulatory authority over the

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

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

31 553.77 Specific powers of the commission.-

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

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

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39 Remove line 148 and insert:  
40 under certain circumstances; amending s. 514.0115,  
41 F.S.; exempting certain surf pools from supervision or  
42 regulation by the department under certain  
43 circumstances; providing construction; defining the  
44 term "surf pool"; amending ss. 491.0046, 553.77, and

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