

1 A bill to be entitled
2 An act relating to consumer protection; amending s.
3 212.134, F.S.; defining terms; revising requirements
4 for payment settlement entities, or their electronic
5 payment facilitators or contracted third parties, in
6 submitting information returns to the Department of
7 Revenue; specifying requirements for third party
8 settlement organizations that conduct certain
9 transactions; amending s. 280.051, F.S.; providing
10 requirements for the senders of payment; providing
11 recordkeeping requirements; providing
12 nonapplicability; providing requirements for the
13 senders of payment; providing recordkeeping
14 requirements; providing nonapplicability; providing
15 additional grounds for qualified public depositories
16 to be suspended and disqualified; amending s. 280.054,
17 F.S.; providing additional acts deemed knowing and
18 willful violations by qualified public depositories
19 which are subject to certain penalties; creating s.
20 287.139, F.S.; providing definitions; prohibiting
21 agencies of the executive branch and local
22 governmental entities from entering into or renewing
23 contracts or agreements with entities for specified
24 purposes; prohibiting agencies of the executive branch
25 and local governmental entities from using or allowing

26 contractors to use certain lists or ratings; providing
27 construction; amending s. 489.147, F.S.; defining a
28 term; authorizing a residential property owner to
29 cancel contracts to replace or repair a roof without
30 penalty or obligation within a specified timeframe
31 under certain circumstances; requiring contractors to
32 include a notice in the contracts with residential
33 property owners under certain circumstances; providing
34 requirements for notices of contract cancellation;
35 amending s. 559.9611, F.S.; revising the definition of
36 the term "depository institution"; amending s.
37 624.424, F.S.; providing requirements for certain
38 insurers' accountants; amending s. 626.8796, F.S.;
39 revising the content of certain public adjuster
40 contracts; amending s. 627.43141, F.S.; providing
41 requirements for certain notice of change in insurance
42 renewal policy terms; amending s. 627.6426, F.S.;
43 revising the disclosure requirements of contracts for
44 short-term health insurance; amending s. 627.70132,
45 F.S.; providing requirements for notices of claims for
46 loss assessment coverage; providing dates of loss;
47 creating s. 655.49, F.S.; authorizing customers and
48 members of financial institutions to file certain
49 complaints with the Office of Financial Regulation;
50 providing nonapplicability; providing duties of the

51 office upon receipt of such complaints; providing
 52 reporting requirements; providing violations;
 53 providing that certain actions or certain failure of
 54 financial institutions to cooperate in specified
 55 investigations constitute violations of the Florida
 56 Deceptive and Unfair Trade Practices Act; providing
 57 that violations are enforced only by the enforcing
 58 authority; providing attorney fees and costs;
 59 requiring the office to provide reports to certain
 60 entities; providing causes of action; requiring the
 61 office to make certain information available on its
 62 website; amending s. 791.01, F.S.; revising the
 63 definition of the term "fireworks"; amending s.
 64 791.012, F.S.; updating the source of the code for
 65 outdoor display of fireworks; providing an effective
 66 date.

67
 68 Be It Enacted by the Legislature of the State of Florida:

69
 70 Section 1. Section 212.134, Florida Statutes, is amended
 71 to read:

72 212.134 Information returns relating to payment-card and
 73 third party ~~third-party~~ network transactions.-

74 (1) As used in this section, the term:

75 (a) "Participating payee" has the same meaning as in s.

76 6050W of the Internal Revenue Code.

77 (b) "Return" or "information return" means the Form 1099-K
78 required under s. 6050W of the Internal Revenue Code.

79 (c) "Third party network transaction" has the same meaning
80 as in s. 6050W of the Internal Revenue Code.

81 (d) "Third party settlement organization" has the same
82 meaning as in s. 6050W of the Internal Revenue Code.

83 (2) For each year in which a payment settlement entity, an
84 electronic payment facilitator, or other third party contracted
85 with the payment settlement entity to make payments to settle
86 reportable payment transactions on behalf of the payment
87 settlement entity must file a return pursuant to s. 6050W of the
88 Internal Revenue Code, for participating payees with an address
89 in this state, the entity, the facilitator, or the third party
90 must submit the information in the return to the department by
91 the 30th day after filing the federal return. The format of the
92 information returns required must be either a copy of such
93 information returns or a copy of such information returns
94 related to participating payees with an address in the state.
95 For purposes of this subsection, the term "payment settlement
96 entity" has the same meaning as provided in s. 6050W of the
97 Internal Revenue Code.

98 (3)~~(2)~~ All reports of returns submitted to the department
99 under this section must be in an electronic format.

100 (4)~~(3)~~ Any payment settlement entity, facilitator, or

101 third party failing to file the information return required,
102 filing an incomplete information return, or not filing an
103 information return within the time prescribed is subject to a
104 penalty of \$1,000 for each failure, if the failure is for not
105 more than 30 days, with an additional \$1,000 for each month or
106 fraction of a month during which each failure continues. The
107 total amount of penalty imposed on a reporting entity may not
108 exceed \$10,000 annually.

109 (5)~~(4)~~ The executive director or his or her designee may
110 waive the penalty if he or she determines that the failure to
111 timely file an information return was due to reasonable cause
112 and not due to willful negligence, willful neglect, or fraud.

113 (6) All third party settlement organizations that conduct
114 transactions involving a participating payee with an address in
115 this state and that have a contractual obligation with such
116 participating payee to make payment to the organizations shall
117 create a mechanism for senders of payments to identify whether a
118 payment to a payee is for goods and services or is personal. The
119 mechanism must clearly indicate the sender's requirement to
120 indicate the appropriate transaction type. The sender of the
121 payment is responsible for indicating the appropriate
122 transaction type. All third party settlement organizations shall
123 maintain records that clearly identify whether a transaction, as
124 designated by the sender of the payment, is a transaction for
125 goods and services or is personal. The information in the return

126 submitted to the department under subsection (2) for such
127 entities must be limited to transactions for goods and services.

128 (7) Notwithstanding this section, subsection (6) does not
129 apply to a third party settlement organization if a contractual
130 agreement or arrangement to provide a third party payment
131 network to a participating payee requires the third party
132 settlement organization solely to settle third party network
133 transactions for the provision of goods and services.

134 Section 2. Subsection (16) is added to section 280.051,
135 Florida Statutes, to read:

136 280.051 Grounds for suspension or disqualification of a
137 qualified public depository.—A qualified public depository may
138 be suspended or disqualified or both if the Chief Financial
139 Officer determines that the qualified public depository has:

140 (16) Pursuant to a determination notice reported by the
141 Office of Financial Regulation under s. 655.49, acted in bad
142 faith when terminating, suspending, or taking similar action
143 restricting access to a customer's or member's account, or
144 failed to cooperate in an investigation conducted pursuant to s.
145 655.49(3), including, without limitation, failing to timely file
146 a termination-of-access report with the office.

147 Section 3. Paragraph (b) of subsection (1) of section
148 280.054, Florida Statutes, is amended to read:

149 280.054 Administrative penalty in lieu of suspension or
150 disqualification.—

151 (1) If the Chief Financial Officer finds that one or more
152 grounds exist for the suspension or disqualification of a
153 qualified public depository, the Chief Financial Officer may, in
154 lieu of suspension or disqualification, impose an administrative
155 penalty upon the qualified public depository.

156 (b) With respect to any knowing and willful violation of a
157 lawful order or rule, the Chief Financial Officer may impose a
158 penalty upon the qualified public depository in an amount not
159 exceeding \$1,000 for each violation. If restitution is due, the
160 qualified public depository shall make restitution upon the
161 order of the Chief Financial Officer and shall pay interest on
162 such amount at the legal rate. Each day a violation continues
163 constitutes a separate violation. Each of the following ~~Failure~~
164 ~~to timely file the attestation required under s. 280.025~~ is
165 deemed a knowing and willful violation by the qualified public
166 depository:

167 1. Failure to timely file the attestation required under
168 s. 280.025.

169 2. Bad faith termination, suspension, or similar action
170 restricting access to a customer's or member's account, as
171 determined by the Office of Financial Regulation pursuant to s.
172 655.49.

173 3. Failure to cooperate in an investigation conducted
174 pursuant to s. 655.49(3), including, without limitation, failure
175 to timely file a termination-of-access report with the office.

176 Section 4. Section 287.139, Florida Statutes, is created
177 to read:

178 287.139 Prohibited contracts and activities; companies
179 engaging in news source and public figure blacklisting.-

180 (1) As used in this section, the term:

181 (a) "Local governmental entity" means a county,
182 municipality, special district, or other political subdivision
183 of this state.

184 (b) "News source" means an entity doing business in this
185 state which:

186 1. Publishes in excess of 100,000 words available online
187 with at least 10,000 paid subscribers or 50,000 monthly active
188 users;

189 2. Publishes 100 hours of audio or video available online
190 with at least 1 million viewers annually;

191 3. Operates a cable channel that provides more than 40
192 hours of content per week to more than 100,000 cable television
193 subscribers; or

194 4. Operates under a broadcast license issued by the
195 Federal Communications Commission.

196 (c) "News source blacklisting" means placing a news source
197 on a list because the news source is not considered credible or
198 reliable or to create ratings indicating a news source is not
199 considered credible or reliable.

200 (d) "Public figure" means a person who has achieved a role

201 of special prominence in the affairs of society. The term does
202 not include a person who is an involuntary public figure.

203 (e) "Public figure blacklisting" means to place a public
204 figure on a list because he or she is not considered credible or
205 reliable or to create ratings indicating a public figure is not
206 considered credible or reliable.

207 (2) An agency or a local governmental entity may not enter
208 into or renew a contract or agreement with an entity for the
209 purpose of developing, providing, or using news source
210 blacklisting or public figure blacklisting.

211 (3) An agency or a local governmental entity may not use,
212 or allow a contractor to use, the lists or ratings of an entity
213 that develops news source blacklisting or public figure
214 blacklisting to decide which news source or which public figure
215 receives information from the agency or local government entity
216 for further distribution to the public. Information from the
217 agency or local government entity under this subsection
218 includes, but is not limited to, time-sensitive information
219 related to emergency event notices for the public, any type of
220 information that is worthy of public consumption, consumer
221 product or consumer scam notices, government contracting
222 opportunities, and traffic and event information.

223 Section 5. Paragraph (b) of subsection (1) of section
224 489.147, Florida Statutes, is redesignated as paragraph (c), a
225 new paragraph (b) is added to that subsection, and subsection

226 (6) is added to that section, to read:

227 489.147 Prohibited property insurance practices; contract
228 requirements.-

229 (1) As used in this section, the term:

230 (b) "Residential property owner" means the person who
231 holds the legal title to the residential real property that is
232 subject of and directly impacted by the action of a governmental
233 entity. The term does not include a governmental entity.

234 (6)(a) A residential property owner may cancel a contract
235 to replace or repair a roof without penalty or obligation within
236 10 days after the execution of the contract or by the official
237 start date, whichever comes first, if the contract was entered
238 into based on events that are subject of a declaration of a
239 state of emergency by the Governor. For the purposes of this
240 subsection, the official start date is the date on which work
241 that includes the installation of materials that will be
242 included in the final work on the roof commences, a final permit
243 has been issued, or a temporary repair to the roof covering or
244 roof has been made in compliance with the Florida Building Code.

245 (b) A contractor executing a contract during a declaration
246 of a state of emergency to replace or repair a roof of a
247 residential property must include or add as an attachment to the
248 contract the following language, in bold type of not less than
249 18 points, immediately before the space reserved for the
250 signature of the residential property owner:

251
 252 "You, the residential property owner, may cancel this contract
 253 without penalty or obligation within 10 days after the execution
 254 of the contract or by the official start date, whichever comes
 255 first, because this contract was entered into during a state of
 256 emergency by the Governor. The official start date is the date
 257 on which work that includes the installation of materials that
 258 will be included in the final work on the roof commences, a
 259 final permit has been issued, or a temporary repair to the roof
 260 covering or roof system has been made in compliance with the
 261 Florida Building Code."

262
 263 (c) The residential property owner must send the notice of
 264 cancellation by certified mail, return receipt requested, or
 265 other form of mailing that provides proof thereof, at the
 266 address specified in the contract.

267 Section 6. Subsection (9) of section 559.9611, Florida
 268 Statutes, is amended to read:

269 559.9611 Definitions.—As used in this part, the term:

270 (9) "Depository institution" means a bank, a credit union,
 271 a savings bank, a savings and loan association, a savings or
 272 thrift association, or an industrial loan company doing business
 273 under the authority of a charter issued by the United States,
 274 this state, or any other state, district, territory, or
 275 commonwealth of the United States which is authorized to

276 transact business in this state and whose deposits or share
 277 accounts are insured by the Federal Deposit Insurance
 278 Corporation or the National Credit Union Share Insurance Fund
 279 ~~Florida state-chartered bank, savings bank, credit union, or~~
 280 ~~trust company, or a federal savings or thrift association, bank,~~
 281 ~~credit union, savings bank, or thrift.~~

282 Section 7. Paragraph (d) of subsection (8) of section
 283 624.424, Florida Statutes, is amended to read:

284 624.424 Annual statement and other information.—

285 (8)

286 (d) Upon creation of the continuing education required
 287 under this paragraph, the certified public accountant that
 288 prepares the audit must be licensed to practice pursuant to
 289 chapter 473 and must have completed at least 4 hours of
 290 insurance-related continuing education during each 2-year
 291 continuing education cycle. An insurer may not use the same
 292 accountant or partner of an accounting firm responsible for
 293 preparing the report required by this subsection for more than 5
 294 consecutive years. Following this period, the insurer may not
 295 use such accountant or partner for a period of 5 years, but may
 296 use another accountant or partner of the same firm. An insurer
 297 may request the office to waive this prohibition based upon an
 298 unusual hardship to the insurer and a determination that the
 299 accountant is exercising independent judgment that is not unduly
 300 influenced by the insurer considering such factors as the number

301 of partners, expertise of the partners or the number of
302 insurance clients of the accounting firm; the premium volume of
303 the insurer; and the number of jurisdictions in which the
304 insurer transacts business.

305 Section 8. Subsection (2) of section 626.8796, Florida
306 Statutes, is amended to read:

307 626.8796 Public adjuster contracts; disclosure statement;
308 fraud statement.—

309 (2) A public adjuster contract relating to a property and
310 casualty claim must contain the full name, permanent business
311 address, phone number, e-mail address, and license number of the
312 public adjuster; the full name and license number of the public
313 adjusting firm; and the insured's full name, street address,
314 phone number, and e-mail address, together with a brief
315 description of the loss. The contract must state the percentage
316 of compensation for the public adjuster's services in minimum
317 18-point bold type before the space reserved in the contract for
318 the signature of the insured; the type of claim, including an
319 emergency claim, nonemergency claim, or supplemental claim; the
320 initials of the named insured on each page that does not contain
321 the insured's signature; the signatures of the public adjuster
322 and all named insureds; and the signature date. If all of the
323 named insureds' signatures are not available, the public
324 adjuster must submit an affidavit signed by the available named
325 insureds attesting that they have authority to enter into the

326 contract and settle all claim issues on behalf of the named
327 insureds. An unaltered copy of the executed contract must be
328 remitted to the insured at the time of execution and to the
329 insurer, or the insurer's representative within 7 days after
330 execution. A public adjusting firm that adjusts claims primarily
331 for commercial entities with operations in more than one state
332 and that does not directly or indirectly perform adjusting
333 services for insurers or individual homeowners is deemed to
334 comply with the requirements of this subsection if, at the time
335 a proof of loss is submitted, the public adjusting firm remits
336 to the insurer an affidavit signed by the public adjuster or
337 public adjuster apprentice that identifies:

338 (a) The full name, permanent business address, phone
339 number, e-mail address, and license number of the public
340 adjuster or public adjuster apprentice.

341 (b) The full name of the public adjusting firm.

342 (c) The insured's full name, street address, phone number,
343 and e-mail address, together with a brief description of the
344 loss.

345 (d) An attestation that the compensation for public
346 adjusting services will not exceed the limitations provided by
347 law.

348 (e) The type of claim, including an emergency claim,
349 nonemergency claim, or supplemental claim.

350 Section 9. Subsection (2) of section 627.43141, Florida

351 Statutes, is amended to read:

352 627.43141 Notice of change in policy terms.—

353 (2) A renewal policy may contain a change in policy terms.

354 If such change occurs, the insurer shall give the named insured
 355 advance written notice summarizing the change, which may be
 356 enclosed in ~~along with~~ the written notice of renewal premium
 357 required under ss. 627.4133 and 627.728 or sent separately
 358 within the timeframe required under the Florida Insurance Code
 359 for the provision of a notice of nonrenewal to the named insured
 360 for that line of insurance. The insurer must also provide a
 361 sample copy of the notice to the named insured's insurance agent
 362 before or at the same time that notice is provided to the named
 363 insured. Such notice shall be entitled "Notice of Change in
 364 Policy Terms." Beginning January 1, 2025, the notice must be in
 365 bold type of not less than 14 points and must be included as a
 366 single page or consecutive pages, as necessary, within the
 367 written notice.

368 Section 10. Section 627.6426, Florida Statutes, is amended
 369 to read:

370 627.6426 Short-term health insurance.—

371 (1) For purposes of this part, the term "short-term health
 372 insurance" means health insurance coverage provided by an issuer
 373 with an expiration date specified in the contract that is less
 374 than 12 months after the original effective date of the contract
 375 and, taking into account renewals or extensions, has a duration

376 | not to exceed 36 months in total.

377 | (2) All contracts for short-term health insurance entered
378 | into by an issuer and an individual seeking coverage shall
379 | include the following written disclosures signed by the
380 | purchaser at the time of purchase disclosure:

381 | (a) The following statement:

382 |
383 | "This coverage is not required to comply with certain federal
384 | market requirements for health insurance, principally those
385 | contained in the Patient Protection and Affordable Care Act. Be
386 | sure to check your policy carefully to make sure you are aware
387 | of any exclusions or limitations regarding coverage of
388 | preexisting conditions or health benefits (such as
389 | hospitalization, emergency services, maternity care, preventive
390 | care, prescription drugs, and mental health and substance use
391 | disorder services). Your policy might also have lifetime and/or
392 | annual dollar limits on health benefits. If this coverage
393 | expires or you lose eligibility for this coverage, you might
394 | have to wait until an open enrollment period to get other health
395 | insurance coverage."

396 |

397 | (b) The following information:

398 | 1. The duration of the contract, including any waiting
399 | period.

400 | 2. Any essential health benefit under 42 U.S.C. s.

401 18022(b) that the contract does not provide.

402 3. The content of coverage.

403 4. Any exclusion of preexisting conditions.

404 (3) The disclosures required in subsection (2) must be
 405 printed in no less than 12-point type and in a color that is
 406 readable. A copy of the signed disclosures must be maintained by
 407 the issuer for a period of 5 years after the date of purchase.

408 (4) Disclosures provided by electronic means must meet the
 409 requirements of subsection (2).

410 Section 11. Subsection (4) of section 627.70132, Florida
 411 Statutes, is renumbered as subsection (5), and a new subsection
 412 (4) is added to that section to read:

413 627.70132 Notice of property insurance claim.—

414 (4)(a) A notice of claim for loss assessment coverage
 415 under s. 627.714 may not occur later than 3 years after the date
 416 of loss and must be provided to the insurer the later of:

417 1. Within 1 year after the date of loss; or

418 2. Within 90 days after the date on which the condominium
 419 association or its governing board votes to levy an assessment
 420 resulting from a covered loss.

421 (b) For purposes of this subsection, the date of loss is
 422 the date of the covered loss event that created the need for an
 423 assessment.

424 Section 12. Section 655.49, Florida Statutes, is created
 425 to read:

426 655.49 Bad faith termination or restriction of account
427 access; investigations by the office.—

428 (1) A customer or member of a financial institution who
429 reasonably believes that a financial institution has terminated,
430 suspended, or taken similar action restricting access to the
431 customer's or member's account in bad faith may file, within 30
432 calendar days after such termination, suspension, or similar
433 action restricting account access, a complaint with the office
434 alleging a violation of this section. Such complaint is barred
435 if not timely filed.

436 (2) This section does not apply if a financial
437 institution's termination, suspension, or similar action
438 restricting a customer's or member's account access was due to
439 one or more of the following:

440 (a) The customer or member initiated the change in access;

441 (b) There is a lack of activity in the account; or

442 (c) The account is presumed unclaimed property pursuant to
443 chapter 717.

444 (3) Upon receipt of a customer's or member's complaint
445 under subsection (1):

446 (a) Within 30 calendar days, the office must notify the
447 financial institution that a complaint has been filed.

448 (b) Within 30 calendar days after receiving the notice
449 from the office, the financial institution must file with the
450 office a termination-of-access report containing such

451 information as the commission requires by rule.

452 (c) Within 90 calendar days after receiving the
453 termination-of-access report from the financial institution, the
454 office must investigate the financial institution's action and
455 determine whether the action was taken in bad faith as
456 substantiated by competent and substantial evidence that was
457 known or should have been known to the financial institution at
458 the time of the termination, suspension, or similar action
459 restricting a customer's or member's account access.

460 (d) Within 30 calendar days after making the determination
461 required under paragraph (c), the office must report to the
462 Attorney General and the Chief Financial Officer the
463 determination of a bad faith termination, suspension, or similar
464 action restricting a customer's or member's account access. The
465 report to the Attorney General must describe the findings of the
466 investigation, provide a summary of the evidence, and state
467 whether an alleged violation of the financial institutions codes
468 by the financial institution occurred. Upon reporting to the
469 Attorney General pursuant to this paragraph, the office must
470 send a copy of the report to the customer or member by certified
471 mail, return receipt requested.

472 (4) A financial institution's bad faith termination,
473 suspension, or similar action restricting access to a customer's
474 or member's account, as determined by the office pursuant to
475 subsection (3), or a financial institution's failure to

476 cooperate in an investigation conducted pursuant to subsection
477 (3), including, without limitation, failure to timely file a
478 termination-of-access report with the office, constitutes a
479 violation of the financial institutions codes and subjects the
480 financial institution to the applicable sanctions and penalties
481 provided for in the financial institutions codes.

482 (5) In addition to any sanctions and penalties under the
483 financial institutions codes, a financial institution's bad
484 faith termination, suspension, or similar action restricting
485 access to a customer's or member's account, as determined by the
486 office pursuant to subsection (3), or a financial institution's
487 failure to cooperate in an investigation conducted pursuant to
488 subsection (3), including, without limitation, failure to timely
489 file a termination-of-access report with the office, constitutes
490 a violation of the Florida Deceptive and Unfair Trade Practices
491 Act under part II of chapter 501, and any exceptions otherwise
492 provided under s. 501.212(4) shall not apply to any violations
493 of this section. Notwithstanding s. 501.211, violations must be
494 enforced only by the enforcing authority, as defined in s.
495 501.203(2), and subject the violator to the sanctions and
496 penalties provided for in part II of chapter 501. If such action
497 is successful, the enforcing authority is entitled to reasonable
498 attorney fees and costs.

499 (6) The office shall provide any report filed pursuant to
500 this section, or any information contained therein, to any

501 federal, state, or local law enforcement or prosecutorial
502 agency, and any federal or state agency responsible for the
503 regulation or supervision of financial institutions, if the
504 provision of such report is otherwise required by law.

505 (7) If the office determines under subsection (3) that a
506 financial institution has acted in bad faith, the aggrieved
507 customer or member of the financial institution has a cause of
508 action against the financial institution for damages and may
509 recover damages therefor in any court of competent jurisdiction,
510 together with costs and reasonable attorney fees to be assessed
511 by the court. To recover damages under this subsection, the
512 customer or member must establish by clear and convincing
513 evidence that the financial institution acted in bad faith in
514 terminating, suspending, or taking similar action restricting
515 access to the customer's or member's account. The office's
516 determination that the financial institution has acted in bad
517 faith pursuant to subsection (3) does not, in and of itself,
518 establish clear and convincing evidence that the financial
519 institution acted in bad faith in the termination, suspension,
520 or similar action restricting access to the customer's or
521 member's account. A customer's or member's failure to initiate a
522 cause of action under this subsection within 12 months after the
523 office's finding of bad faith pursuant to subsection (3) bars
524 recovery of any filed claims thereafter.

525 (8) By July 1, 2024, the office shall make available on

526 its website the information necessary for a customer or member
 527 of a financial institution to file a complaint with the office
 528 under subsection (1).

529 Section 13. Paragraph (a) of subsection (4) of section
 530 791.01, Florida Statutes, is amended to read:

531 791.01 Definitions.—As used in this chapter, the term:

532 (4)(a) "Fireworks" means and includes any combustible or
 533 explosive composition or substance or combination of substances
 534 or, except as hereinafter provided, any article prepared for the
 535 purpose of producing a visible or audible effect by combustion,
 536 explosion, deflagration, or detonation. The term includes blank
 537 cartridges and toy cannons in which explosives are used, the
 538 type of balloons which require fire underneath to propel them,
 539 firecrackers, torpedoes, skyrockets, Roman candles, ~~dag~~ ~~bombs~~,
 540 and any fireworks containing any explosives or flammable
 541 compound or any tablets or other device containing any explosive
 542 substance.

543 Section 14. Section 791.012, Florida Statutes, is amended
 544 to read:

545 791.012 Minimum fireworks safety standards.—The outdoor
 546 display of fireworks in this state shall be governed by the
 547 National Fire Protection Association (NFPA) 1123, Code for
 548 Fireworks Display, 2018 ~~1995~~ Edition, ~~approved by the American~~
 549 ~~National Standards Institute~~. Any state, county, or municipal
 550 law, rule, or ordinance may provide for more stringent

551 regulations for the outdoor display of fireworks, but in no
552 event may any such law, rule, or ordinance provide for less
553 stringent regulations for the outdoor display of fireworks. The
554 division shall promulgate rules to carry out the provisions of
555 this section. The Code for Fireworks Display shall not govern
556 the display of any fireworks on private, residential property
557 and shall not govern the display of those items included under
558 s. 791.01(4)(b) and (c) and authorized for sale thereunder.

559 Section 15. This act shall take effect July 1, 2024.