By the Committees on Criminal Justice; Regulated Industries; and Senators King, Klein and Wise

591-1895-06

1	A bill to be entitled
2	An act relating to driver's licenses; amending
3	s. 562.11, F.S.; providing an additional
4	penalty for providing alcoholic beverages to a
5	person under the age of 21; creating s.
6	322.057, F.S.; authorizing a court to withhold
7	issuance of, or suspend or revoke, the driver's
8	license of certain persons who provide
9	alcoholic beverages to persons under the age of
10	21; providing an effective date.
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12	Be It Enacted by the Legislature of the State of Florida:
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14	Section 1. Paragraph (a) of subsection (1) of section
15	562.11, Florida Statutes, is amended to read:
16	562.11 Selling, giving, or serving alcoholic beverages
17	to person under age 21; providing a proper name;
18	misrepresenting or misstating age or age of another to induce
19	licensee to serve alcoholic beverages to person under 21;
20	penalties
21	(1)(a) It is unlawful for any person to sell, give,
22	serve, or permit to be served alcoholic beverages to a person
23	under 21 years of age or to permit a person under 21 years of
24	age to consume such beverages on the licensed premises. $\underline{\mathtt{A}}$
25	person who violates this subparagraph commits Anyone convicted
26	of violation of the provisions hereof is guilty of a
27	misdemeanor of the second degree, punishable as provided in s.
28	775.082 or s. 775.083.
29	2. In addition to any other penalty imposed for a
30	violation of subparagraph 1., the court may order the
31	Department of Highway Safety and Motor Vehicles to withhold

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CODING: Words stricken are deletions; words underlined are additions.

1	the issuance of, or suspend or revoke, the driver's license or
2	driving privilege, as provided in s. 322.057, of any person
3	who violates subparagraph 1. This subparagraph does not apply
4	to a licensee, as defined in s. 561.01, who violates
5	subparagraph 1. while acting within the scope of his or her
6	license or an employee or agent of a licensee, as defined in
7	s. 561.01, who violates subparagraph 1. while engaged within
8	the scope of his or her employment or agency.
9	Section 2. Section 322.057, Florida Statutes, is
10	created to read:
11	322.057 Discretionary revocation or suspension of
12	driver's license for certain persons who provide alcohol to
13	persons under 21 years of age
14	(1) Notwithstanding s. 322.28, the court may order the
15	department to withhold the issuance of, or suspend or revoke,
16	the driver's license of a person who is found quilty of a
17	violation of s. 562.11(1)(a) for not less than 3 months or
18	more than 6 months for a first violation and for 1 year for
19	any subsequent violation. This subsection does not apply to a
20	licensee who violates s. 562.11(1)(a) while acting within the
21	scope of his or her license or an employee or agent of a
22	licensee who violates s. 562.11(1)(a) while engaged within the
23	scope of his or her employment or agency.
24	(2) The court may direct the department to issue a
25	driver's license restricted to business or employment purposes
26	only, as provided in s. 322.271, to a person who is otherwise
27	qualified for a license.
28	Section 3. This act shall take effect October 1, 2006.
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1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR	
2	CS/SB 1322	
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4	Makes it discretionary, rather than mandatory, for the court to direct the DHSMV to revoke or suspend a driver's license or driving privilege under the bill.	
5 6	driving privilege under the bill.	
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