

1                   A bill to be entitled  
2           An act relating to vendors licensed under the Beverage  
3           Law; amending s. 562.13, F.S.; providing an exception  
4           from employment restrictions on vendors licensed under  
5           the Beverage Law for the employment of persons under a  
6           specified age; providing that failure to comply with a  
7           restriction on monthly revenue from the sale of  
8           alcoholic beverages is unlawful if a minor is employed  
9           during a month that the restriction is exceeded, to  
10          which penalties apply; amending s. 565.04, F.S.;  
11          defining the term "liquor package store"; creating  
12          Type A and Type B liquor package store licenses;  
13          removing restrictions on direct access to a vendor's  
14          place of business upon payment of additional license  
15          fees; authorizing the Division of Alcoholic Beverages  
16          and Tobacco of the Department of Business and  
17          Professional Regulation to issue licenses;  
18          establishing additional fees based on the county where  
19          the vendor operates; providing an effective date.  
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21   Be It Enacted by the Legislature of the State of Florida:  
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23           Section 1. Paragraph (c) of subsection (2) of section  
24   562.13, Florida Statutes, is amended to read:

25           562.13   Employment of minors or certain other persons by

26 | certain vendors prohibited; exceptions.—

27 |       (2) This section shall not apply to:

28 |       (c) Persons under the age of 18 years who are employed in  
 29 | licensed vendor premises that include within the premises a  
 30 | retail drugstore, grocery store, department store, florist,  
 31 | specialty gift shop, or automobile service station, and whose  
 32 | annual license fees are set forth in s. 563.02(1), s.  
 33 | 564.02(1), or s. 565.02(1)(a), if the vendor licensed to sell  
 34 | alcoholic beverages on the licensed premises derives 30 percent  
 35 | or less of its gross revenues each month from the sale of  
 36 | alcoholic beverages and if the minor employee is supervised by  
 37 | a person 18 years of age or older who, before any purchase of  
 38 | alcoholic beverages, verifies the age of the purchaser to be 21  
 39 | years of age or older and approves the sale of alcoholic  
 40 | beverages to such purchaser. Failure to comply with the  
 41 | restriction on monthly revenue from the sale of alcoholic  
 42 | beverages is unlawful if a person under the age of 18 years is  
 43 | employed in the licensed premises during a month that the  
 44 | restriction is exceeded ~~drugstores, grocery stores, department~~  
 45 | ~~stores, florists, specialty gift shops, or automobile service~~  
 46 | ~~stations which have obtained licenses to sell beer or beer and~~  
 47 | ~~wine, when such sales are made for consumption off the premises.~~

48 |  
 49 | However, a minor to whom this subsection otherwise applies may  
 50 | not be employed if the employment, whether as a professional

51 entertainer or otherwise, involves nudity, as defined in s.  
 52 847.001, on the part of the minor and such nudity is intended as  
 53 a form of adult entertainment.

54 Section 2. Section 565.04, Florida Statutes, is amended to  
 55 read:

56 565.04 Package store licenses, regulations, and fees  
 57 restrictions.—

58 (1) The term "liquor package store," as used in this  
 59 section, means a vendor:

60 (a) Subject to the limitation imposed in s. 561.20(1);

61 (b) Licensed in accordance with and who pays state taxes  
 62 under s. 565.02(1)(a);

63 (c) Who is permitted to sell any alcoholic beverages  
 64 regardless of alcoholic content; and

65 (d) Who operates a place of business where beverages are  
 66 sold only in sealed containers for consumption off the premises  
 67 where sold.

68 (2) The division is authorized to issue Type A liquor  
 69 package store licenses and Type B liquor package store licenses  
 70 in accordance with ss. 561.20(1) and 565.02(1)(a), subject to  
 71 the following:

72 (a) Type A liquor package store licenses may be issued to  
 73 a vendor with a premises without openings permitting direct  
 74 access to any other building or room, except to a private office  
 75 or storage room of the place of business from which patrons are

76 excluded. Such liquor package stores ~~Vendors licensed under s.~~  
 77 ~~565.02(1)(a)~~ shall not in the licensed premises ~~said place of~~  
 78 ~~business~~ sell, offer, or expose for sale any merchandise other  
 79 than such beverages, and such liquor package stores ~~places of~~  
 80 ~~business~~ shall be devoted exclusively to such sales; provided,  
 81 however, that such vendors shall be permitted to sell bitters,  
 82 grenadine, nonalcoholic mixer-type beverages (not to include  
 83 fruit juices produced outside this state), fruit juices produced  
 84 in this state, home bar, and party supplies and equipment  
 85 (including but not limited to glassware and party-type foods),  
 86 miniatures of no alcoholic content, and tobacco products. A Type  
 87 A liquor package store licensee shall pay an annual license fee  
 88 pursuant to s. 565.02(1)(a). ~~Such places of business shall have~~  
 89 ~~no openings permitting direct access to any other building or~~  
 90 ~~room, except to a private office or storage room of the place of~~  
 91 ~~business from which patrons are excluded.~~

92 (b) Type B liquor package store licenses may be issued to  
 93 a vendor that is not subject to the limitations contained in  
 94 subsection (2)(a), subject to the following conditions:

95 1. A Type B liquor package store licensee shall pay an  
 96 annual license fee pursuant to s. 565.02(1)(a); and

97 2. A Type B liquor package store licensee shall pay an  
 98 additional amount according to the population of the county  
 99 where the vendor operates and provided for herein:

100 a. Vendors operating places of business in counties having

101 a population of over 100,000, according to the latest population  
102 estimate prepared pursuant to s. 186.901, for such county, shall  
103 pay \$294 in addition to the annual license fee.

104 b. Vendors operating places of business in counties having  
105 a population of over 75,000 and not over 100,000, according to  
106 the latest population estimate prepared pursuant to s. 186.901,  
107 for such county, shall pay \$252 in addition to the annual  
108 license fee.

109 c. Vendors operating places of business in counties having  
110 a population of over 50,000 and not over 75,000, according to  
111 the latest population estimate prepared pursuant to s. 186.901,  
112 for such county, shall pay \$210 in addition to the annual  
113 license fee.

114 d. Vendors operating places of business in counties having  
115 a population of over 25,000 and not over 50,000, according to  
116 the latest population estimate prepared pursuant to s. 186.901,  
117 for such county, shall pay \$168 in addition to the annual  
118 license fee.

119 e. Vendors operating places of business in counties having  
120 a population of not over 25,000, according to the latest  
121 population estimate prepared pursuant to s. 186.901, for such  
122 county, shall pay \$126 in addition to the annual license fee.

123 (3)(2) Notwithstanding any other law, when delivering  
124 alcoholic beverages to a vendor licensed under s. 565.02(1)(a),  
125 a licensed distributor may transport the beverages through

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126 | another premises owned in whole or in part by the vendor.  
127 |       Section 3. This act shall take effect July 1, 2017.