

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/HB 639 — Issuance of Special Beverage Licenses

by Commerce Committee; Regulatory Reform and Economic Development Subcommittee; and Rep. Esposito and others (CS/CS/SB 1262 by Appropriations Committee on Agriculture, Environment, and General Government; Regulated Industries Committee; and Senator Martin)

The bill reduces the number of persons a bona fide special food service establishment alcoholic beverage licensee must be equipped to serve meals at one time from 150 persons to 120 persons. It also decreases the minimum square feet of service area required for a special food service establishment alcoholic beverage license from 2,500 square feet of service area to 2,000 square feet of service area. The bill also requires that the establishments hold themselves out as restaurants and have at least 120 physical seats that are available for patrons to use during operating hours.

A special food service establishment alcoholic beverage license, known as an SFS license, is an exception to the limit on the number of alcoholic beverage licenses for the sale of distilled spirits permitted per county (quota licenses). Under current law, a special food service establishment must have at least 2,500 square feet of service area, be equipped to serve 150 persons at one time, and derive at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages, during the first 60-day operating period and each 12-month operating period thereafter.

The bill also revises the alcoholic beverage license requirements for a bona fide beach or cabana club to include bathroom facilities among the list of facilities that a beach or cabana club must have to qualify for a special club license. Current law requires such businesses to have beach facilities, and locker rooms for at least 100 persons. The bill repeals the requirements that a beach or cabana club must have a restaurant with seats at tables for at least 100 persons. Instead it requires that the beach or cabana club include a public food service establishment as defined in s. 509.013(5), F.S. The bill maintains the requirement in current law that a beach or cabana club must have an area of at least 5,000 square feet located on a contiguous tract of land in excess of one acre.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 107-0