

By Representative Silver

1 A bill to be entitled
 2 An act relating to negligence; amending s.
 3 768.125, F.S.; providing civil liability for
 4 certain persons who knowingly provide alcoholic
 5 beverages to visibly intoxicated persons,
 6 underage persons, or persons addicted to the
 7 excessive use of alcohol; providing an
 8 effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Section 768.125, Florida Statutes, is
 13 amended to read:

14 768.125 Liability for injury or damage resulting from
 15 intoxication.--Any ~~A~~ person licensed under chapter 561 who
 16 knowingly sells, gives, or furnishes, or otherwise provides
 17 alcoholic beverages to a person who is visibly intoxicated of
 18 ~~lawful drinking age~~ shall be not thereby become liable for
 19 injury or damage caused by or resulting from the intoxication
 20 of such person. ~~Any, except that a~~ person who willfully and
 21 unlawfully sells, gives, or furnishes, or otherwise provides
 22 alcoholic beverages to a person who, through the use of
 23 reasonable procedures, should have been known to be ~~is~~ not of
 24 lawful drinking age or who knowingly serves a person
 25 habitually addicted to the excessive use of any or all
 26 alcoholic beverages may become liable for injury or damage
 27 caused by or resulting from the intoxication of such minor or
 28 person.

29 Section 2. This act shall take effect October 1, 1997.
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SENATE SUMMARY

Provides that any person licensed under chapter 561, F.S., (the Beverage Law) who knowingly sells, gives, furnishes, or otherwise provides alcoholic beverages to a person who is visibly intoxicated shall be liable for injury or damages caused by or resulting from the intoxication of such person. Provides that any person licensed under chapter 561, F.S., who knowingly sells, gives, furnishes, or otherwise provides alcoholic beverages to a person who, through reasonable procedures, should have been known to be not of lawful drinking age or to a person habitually addicted to the excessive use of alcoholic beverages may be liable for injury or damage caused by or resulting from the intoxication of such person.