

By Representative Gay

1 A bill to be entitled
2 An act relating to alcoholic beverages;
3 repealing s. 561.501, F.S., relating to the
4 surcharge on the sale of alcoholic beverages
5 for consumption on the premises; amending ss.
6 561.025 and 561.121, F.S.; conforming to the
7 act; providing an effective date.

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

10
11 Section 1. Section 561.501, Florida Statutes, as
12 amended by chapter 95-206, Laws of Florida, is hereby
13 repealed.

14 Section 2. Section 561.025, Florida Statutes, is
15 amended to read:

16 561.025 Alcoholic Beverage and Tobacco Trust
17 Fund.--There is created within the State Treasury the
18 Alcoholic Beverage and Tobacco Trust Fund. All funds collected
19 by the division under ss. 210.15, 210.40, or under s. 569.003
20 and the Beverage Law with the exception of state funds
21 collected pursuant to ss. ~~561.501~~, 563.05, 564.06, and 565.12
22 shall be deposited in the State Treasury to the credit of the
23 trust fund, notwithstanding any other provision of law to the
24 contrary. Moneys deposited to the credit of the trust fund
25 shall be used to operate the division and to provide a
26 proportionate share of the operation of the office of the
27 secretary and the Division of Administration of the Department
28 of Business and Professional Regulation; except that:

29 (1) The revenue transfer provisions of ss. 561.32 and
30 561.342(1) and (2) shall continue in full force and effect,
31 and the division shall cause such revenue to be returned to

1 the municipality or county in the manner provided for in s.
2 561.32 or s. 561.342(1) and (2); and

3 (2) Ten percent of the revenues derived from retail
4 tobacco products dealer permit fees collected under s. 569.003
5 shall be transferred to the Department of Education to provide
6 for teacher training and for research and evaluation to reduce
7 and prevent the use of tobacco products by children, pursuant
8 to s. 233.067(4).

9 Section 3. Subsection (4) of section 561.121, Florida
10 Statutes, is amended to read:

11 561.121 Deposit of revenue.--

12 ~~(4) State funds collected pursuant to s. 561.501 shall~~
13 ~~be paid into the State Treasury and credited to the following~~
14 ~~accounts:~~

15 ~~(a) Nine and eight-tenths of the surcharge on the sale~~
16 ~~of alcoholic beverages for consumption on premises shall be~~
17 ~~transferred to the Children and Adolescents Substance Abuse~~
18 ~~Trust Fund, which shall remain with the Department of Health~~
19 ~~and Rehabilitative Services for the purpose of funding~~
20 ~~programs directed at reducing and eliminating substance abuse~~
21 ~~problems among children and adolescents.~~

22 ~~(b) The remainder of collections shall be credited to~~
23 ~~the General Revenue Fund.~~

24 Section 4. This act shall take effect January 1, 1998.

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26 HOUSE SUMMARY

27
28 Repeals the provision of law providing a surcharge on the
29 sale of alcoholic beverages for consumption on the
30 premises.