

By the Committee on Regulated Services and Representatives  
Gay, Bainter and Saunders

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 contingent upon  
6           certain conditions being met; amending ss.  
7           561.025 and 561.121, F.S.; conforming to the  
8           act contingent upon the repeal of s. 561.501,  
9           F.S.; providing an effective date.

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

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13           Section 1. On January 1, 1999, the Department of  
14 Business and Professional Regulation and the Department of  
15 Revenue shall report to the Legislature the amount of  
16 additional revenue generated by strict enforcement of illegal  
17 shipments of alcoholic beverages into the state. If sufficient  
18 revenues have been generated to replace the alcoholic beverage  
19 surcharge revenue for fiscal year 1997-1998, s. 561.501,  
20 Florida Statutes, shall be repealed effective July 1, 1999.

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22           Section 2. Contingent upon the repeal of section  
23 561.501, Florida Statutes, section 561.025, Florida Statutes,  
24 is amended to read:

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26           561.025 Alcoholic Beverage and Tobacco Trust  
27 Fund.--There is created within the State Treasury the  
28 Alcoholic Beverage and Tobacco Trust Fund. All funds collected  
29 by the division under ss. 210.15, 210.40, or under s. 569.003  
30 and the Beverage Law with the exception of state funds  
31 collected pursuant to ss. ~~561.501~~, 563.05, 564.06, and 565.12  
shall be deposited in the State Treasury to the credit of the  
trust fund, notwithstanding any other provision of law to the

1 contrary. Moneys deposited to the credit of the trust fund  
2 shall be used to operate the division and to provide a  
3 proportionate share of the operation of the office of the  
4 secretary and the Division of Administration of the Department  
5 of Business and Professional Regulation; except that:

6 (1) The revenue transfer provisions of ss. 561.32 and  
7 561.342(1) and (2) shall continue in full force and effect,  
8 and the division shall cause such revenue to be returned to  
9 the municipality or county in the manner provided for in s.  
10 561.32 or s. 561.342(1) and (2); and

11 (2) Ten percent of the revenues derived from retail  
12 tobacco products dealer permit fees collected under s. 569.003  
13 shall be transferred to the Department of Education to provide  
14 for teacher training and for research and evaluation to reduce  
15 and prevent the use of tobacco products by children, pursuant  
16 to s. 233.067(4).

17 Section 3. Contingent upon the repeal of section  
18 561.501, Florida Statutes, subsection (4) of section 561.121,  
19 Florida Statutes, is amended to read:

20 561.121 Deposit of revenue.--

21 ~~(4) State funds collected pursuant to s. 561.501 shall~~  
22 ~~be paid into the State Treasury and credited to the following~~  
23 ~~accounts:~~

24 ~~(a) Nine and eight-tenths of the surcharge on the sale~~  
25 ~~of alcoholic beverages for consumption on premises shall be~~  
26 ~~transferred to the Children and Adolescents Substance Abuse~~  
27 ~~Trust Fund, which shall remain with the Department of Health~~  
28 ~~and Rehabilitative Services for the purpose of funding~~  
29 ~~programs directed at reducing and eliminating substance abuse~~  
30 ~~problems among children and adolescents.~~

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1           ~~(b) The remainder of collections shall be credited to~~  
2 ~~the General Revenue Fund.~~  
3           Section 4. This act shall take effect January 1, 1998.  
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