

By the Committee on Regulated Industries and Senators Hargrett and Holzendorf

315-1709-98

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A bill to be entitled
An act relating to the Beverage Law; amending
s. 562.45, F.S.; providing restrictions on
locations for on-premises consumption of
alcoholic beverages; providing an effective
date.

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

Section 1. Paragraph (a) of subsection (2) of section
562.45, Florida Statutes, is amended to read:

562.45 Penalties for violating Beverage Law; local
ordinances; prohibiting regulation of certain activities or
business transactions; requiring nondiscriminatory treatment;
providing exceptions.--

(2)(a) Nothing contained in the Beverage Law shall be
construed to affect or impair the power or right of any county
or incorporated municipality of the state to enact ordinances
regulating the hours of business and location of place of
business, and prescribing sanitary regulations therefor, of
any licensee under the Beverage Law within the county or
corporate limits of such municipality. However, except for
premises licensed on or before July 1, 1998, a location for
on-premises consumption of alcoholic beverages may not be
located within 500 feet of the real property that comprises a
public or private elementary school, middle school, or
secondary school unless the county or municipality approves
the location as promoting the public health, safety, and
general welfare of the community under proceedings as provided
in s. 286.0115. The division may not issue a change in the
series of a license or approve a change of a licensee's

1 location unless the licensee provides documentation of proper
2 zoning from the appropriate county or municipal zoning
3 authorities.

4 Section 2. This act shall take effect July 1, 1998.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 SB 720

9 Provides that a location for on-premises consumption of
10 alcoholic beverages may not be located within 500 feet of a
11 school unless the county or municipal government approves the
12 location under quasi-judicial procedures used for other zoning
13 decisions. This provision does not apply to premises licensed
14 on or before July 1, 1998.

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