

By Representative Rodriguez-Chomat

1 A bill to be entitled
2 An act relating to minors; amending s. 562.13,
3 F.S.; prohibiting the employment of a minor by
4 a vendor licensed under the Beverage Law when
5 the employment involves nudity, as defined, on
6 the part of the minor; providing an effective
7 date.

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

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11 Section 1. Section 562.13, Florida Statutes, is
12 amended to read:

13 562.13 Employment of minors or certain other persons
14 by certain vendors prohibited; exceptions.--

15 (1) Unless otherwise provided in this section, it is
16 unlawful for any vendor licensed under the Beverage Law to
17 employ any person under 18 years of age.

18 (2) This section shall not apply to:

19 (a) Professional entertainers 17 years of age who are
20 not in school.

21 (b) Minors employed in the entertainment industry, as
22 defined by s. 450.012(5), who have either been granted a
23 waiver under s. 450.095 or employed under the terms of s.
24 450.132 or under rules adopted pursuant to either of these
25 sections.

26 (c) Persons under the age of 18 years who are employed
27 in drugstores, grocery stores, department stores, florists,
28 specialty gift shops, or automobile service stations which
29 have obtained licenses to sell beer or beer and wine, when
30 such sales are made for consumption off the premises.

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1 (d) Persons 17 years of age or over or any person
2 furnishing evidence that he is a senior high school student
3 with written permission of the principal of said senior high
4 school or that he is a senior high school graduate, or any
5 high school graduate, employed by a bona fide food service
6 establishment where alcoholic beverages are sold, provided
7 such persons do not participate in the sale, preparation, or
8 service of the beverages and that their duties are of such
9 nature as to provide them with training and knowledge as might
10 lead to further advancement in food service establishments.

11 (e) Persons under the age of 18 years employed as
12 bellhops, elevator boys, and others in hotels when such
13 employees are engaged in work apart from the portion of the
14 hotel property where alcoholic beverages are offered for sale
15 for consumption on the premises.

16 (f) Persons under the age of 18 years employed in
17 bowling alleys in which alcoholic beverages are sold or
18 consumed, so long as such minors do not participate in the
19 sale, preparation, or service of such beverages.

20 (g) Persons under the age of 18 years employed by a
21 bona fide dinner theater as defined in this paragraph, as long
22 as their employment is limited to the services of an actor,
23 actress, or musician. For the purposes of this paragraph, a
24 dinner theater means a theater presenting consecutive
25 productions playing no less than 3 weeks each in conjunction
26 with dinner service on a regular basis. In addition, both
27 events must occur in the same room, and the only advertised
28 price of admission must include both the cost of the meal and
29 the attendance at the performance.

30 (h) Persons under the age of 18 years who are employed
31 in places of business licensed under s. 565.02(6), provided

1 such persons do not participate in the sale, preparation, or
2 service of alcoholic beverages.

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4 However, a minor to whom this subsection otherwise applies may
5 not be employed if the employment, whether as a professional
6 entertainer or otherwise, involves nudity, as defined in s.
7 847.001, on the part of the minor.

8 (3)(a) It is unlawful for any vendor licensed under
9 the beverage law to employ as a manager or person in charge or
10 as a bartender any person:

11 1. Who has been convicted within the last past 5 years
12 of any offense against the beverage laws of this state, the
13 United States, or any other state.

14 2. Who has been convicted within the last past 5 years
15 in this state or any other state or the United States of
16 soliciting for prostitution, pandering, letting premises for
17 prostitution, keeping a disorderly place, or any felony
18 violation of chapter 893 or the controlled substances act of
19 any other state or the Federal Government.

20 3. Who has, in the last past 5 years, been convicted
21 of any felony in this state, any other state, or the United
22 States.

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24 The term "conviction" shall include an adjudication of guilt
25 on a plea of guilty or nolo contendere or forfeiture of a bond
26 when such person is charged with a crime.

27 (b) This subsection shall not apply to any vendor
28 licensed under the provisions of s. 563.02(1)(a) or s.
29 564.02(1)(a).

30 Section 2. This act shall take effect July 1, 1997.

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SENATE SUMMARY

Prohibits a vendor licensed under the Beverage Law from employing a minor if the employment involves nudity, as defined in s. 847.001, F.S., by the minor.