

By the Committee on Regulated Services and Representatives
Rodriguez-Chomat and Feeney

1 A bill to be entitled
2 An act relating to minors; amending s. 562.13,
3 F.S.; providing an exception to the prohibition
4 on the employment of minors by certain vendors
5 for persons under 18 employed in resorts or
6 campgrounds; prohibiting the employment of a
7 minor by a vendor licensed under the Beverage
8 Law when the employment involves nudity, as
9 defined, on the part of the minor as a form of
10 adult entertainment; providing an effective
11 date.

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

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15 Section 1. Section 562.13, Florida Statutes, is
16 amended to read:

17 562.13 Employment of minors or certain other persons
18 by certain vendors prohibited; exceptions.--

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

22 (2) This section shall not apply to:

23 (a) Professional entertainers 17 years of age who are
24 not in school.

25 (b) Minors employed in the entertainment industry, as
26 defined by s. 450.012(5), who have either been granted a
27 waiver under s. 450.095 or employed under the terms of s.
28 450.132 or under rules adopted pursuant to either of these
29 sections.

30 (c) Persons under the age of 18 years who are employed
31 in drugstores, grocery stores, department stores, florists,

1 specialty gift shops, or automobile service stations which
2 have obtained licenses to sell beer or beer and wine, when
3 such sales are made for consumption off the premises.

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

14 (e) Persons under the age of 18 years employed as
15 bellhops, elevator boys, and others in hotels, resorts, or
16 campgrounds in which alcoholic beverages are sold or consumed,
17 so long as such minors do not participate directly in the
18 sale, preparation, or service of such beverages. ~~when such~~
19 ~~employees are engaged in work apart from the portion of the~~
20 ~~hotel property where alcoholic beverages are offered for sale~~
21 ~~for consumption on the premises.~~

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

26 (g) Persons under the age of 18 years employed by a
27 bona fide dinner theater as defined in this paragraph, as long
28 as their employment is limited to the services of an actor,
29 actress, or musician. For the purposes of this paragraph, a
30 dinner theater means a theater presenting consecutive
31 productions playing no less than 3 weeks each in conjunction

1 with dinner service on a regular basis. In addition, both
2 events must occur in the same room, and the only advertised
3 price of admission must include both the cost of the meal and
4 the attendance at the performance.

5 (h) Persons under the age of 18 years who are employed
6 in places of business licensed under s. 565.02(6), provided
7 such persons do not participate in the sale, preparation, or
8 service of alcoholic beverages.

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10 However, a minor to whom this subsection otherwise applies may
11 not be employed if the employment, whether as a professional
12 entertainer or otherwise, involves nudity, as defined in s.
13 847.001, on the part of the minor and such nudity is intended
14 as a form of adult entertainment.

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

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

21 2. Who has been convicted within the last past 5 years
22 in this state or any other state or the United States of
23 soliciting for prostitution, pandering, letting premises for
24 prostitution, keeping a disorderly place, or any felony
25 violation of chapter 893 or the controlled substances act of
26 any other state or the Federal Government.

27 3. Who has, in the last past 5 years, been convicted
28 of any felony in this state, any other state, or the United
29 States.

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

4 (b) This subsection shall not apply to any vendor
5 licensed under the provisions of s. 563.02(1)(a) or s.
6 564.02(1)(a).

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

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