

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1426

SPONSOR: Senator Latvala

SUBJECT: Beverage License/Dunedin Fine Arts

DATE: March 15, 1999

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wimsett</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill authorizes the Division of Alcoholic Beverages and Tobacco to issue a special alcoholic beverage license to the Board of Directors of the Dunedin Fine Art Center, Inc. for special events only. The Board of Directors could transfer the license to authorized food service providers. The package sale of alcoholic beverages is prohibited.

This bill takes effect upon becoming law.

II. Present Situation:

In order to sell alcoholic beverages in Florida, entities must be licensed by the Division of Alcoholic Beverages and Tobacco. There are three ways to become licensed.

1. Quota licenses

Section 561.20, F.S., provides for issuance of "quota licenses" so that the number of such licenses within a county not exceed one per 5,000 residents. The law provides for an annual lottery-type drawing to award quota licenses based on population growth.

2. Special licenses

Section 561.20, F.S., carves out several exceptions to the quota provision and expressly authorizes special licensure for certain facilities, including restaurants, hotels, bowling establishments and airports.

3. Special acts

Facilities not expressly exempted from the quota provision may seek special licensure through the legislative process.

The Board of Directors of the Dunedin Fine Art Center, Inc., is pursuing a special license through the legislative process.

III. Effect of Proposed Changes:

This bill authorizes the issuance of a special license to the Board of Directors of the Dunedin Fine Art Center for special events only.

This bill allows the Board of Directors to transfer the license to a qualified applicant that is either authorized by or under contract to provide food services at the Center. The license is not valid for use at any other location, and it automatically reverts to the Board of Directors upon termination of the transferee's authority or contract.

The license would not permit the Dunedin Fine Art Center, Inc. or its transferees to sell alcoholic beverages in sealed containers for consumption off the premises.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The sale of alcoholic beverages may enhance participation and attendance at the various special events held at the Dunedin Fine Art Center.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section X of Article III of the Florida Constitution requires that a notice of intent to seek enactment of a local law be published in the manner provided by general law or that the local law be conditioned to take effect only upon approval by vote of the electors of the area affected. The local delegation advertised this bill in accordance with constitutional and statutory requirements. An affidavit of proof of publication has been submitted with the bill.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
