

By Senator Hargrett

21-122-99

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

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

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10           Section 1. Paragraph (a) of subsection (2) of section  
11 562.45, Florida Statutes, is amended to read:

12           562.45 Penalties for violating Beverage Law; local  
13 ordinances; prohibiting regulation of certain activities or  
14 business transactions; requiring nondiscriminatory treatment;  
15 providing exceptions.--

16           (2)(a) Nothing contained in the Beverage Law shall be  
17 construed to affect or impair the power or right of any county  
18 or incorporated municipality of the state to enact ordinances  
19 regulating the hours of business and location of place of  
20 business, and prescribing sanitary regulations therefor, of  
21 any licensee under the Beverage Law within the county or  
22 corporate limits of such municipality. However, except for  
23 premises licensed on or before July 1, 1999, a location for  
24 on-premises consumption of alcoholic beverages may not be  
25 located within 500 feet of the real property that comprises a  
26 public or private elementary school, middle school, or  
27 secondary school unless the county or municipality approves  
28 the location as promoting the public health, safety, and  
29 general welfare of the community under proceedings as provided  
30 in s. 286.0115. The division may not issue a change in the  
31 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, 1999.

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SENATE SUMMARY

Provides that a location for on-premises consumption of  
alcoholic beverages licensed after July 1, 1999, may not  
be located within 500 feet of a school unless the county  
or municipal government approves the location under  
quasi-judicial procedures used for other zoning  
decisions.