

By Representative Heyman

1                                   A bill to be entitled  
2           An act relating to the Beverage Law; amending  
3           ss. 562.11, 562.111, F.S.; providing an  
4           exemption for giving or serving to certain  
5           underage students alcoholic beverages that are  
6           delivered as part of a required curriculum at  
7           an accredited college; providing an exemption  
8           for the possession of alcoholic beverages by  
9           underage students in specified circumstances;  
10          providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14           Section 1. Subsection (4) is added to section 562.11,  
15 Florida Statutes, to read:

16           562.11 Selling, giving, or serving alcoholic beverages  
17 to person under age 21; misrepresenting or misstating age or  
18 age of another to induce licensee to serve alcoholic beverages  
19 to person under 21; penalties.--

20           (4) This section does not apply to a person who gives,  
21 serves, or permits to be served an alcoholic beverage to a  
22 student who is over 17 years of age, if the alcoholic beverage  
23 is delivered as part of the student's required curriculum at a  
24 college that offers at least a baccalaureate degree and is  
25 accredited by one of the six regional accreditation boards  
26 recognized by the Department of Education; if the student is  
27 enrolled in the college and is required to taste alcoholic  
28 beverages that are provided only for instructional purposes  
29 during classes conducted under the supervision of authorized  
30 instructional personnel pursuant to such a curriculum; if  
31 alcoholic beverages are never offered for consumption or

1 imbibed by such a student and such alcoholic beverages at all  
2 times remain in the possession and control of such  
3 instructional personnel, who must be 21 years of age or older;  
4 and if the college indemnifies the state and causes each  
5 participating student to execute a waiver and consent in favor  
6 of, and indemnifies and holds harmless, the state.

7 Section 2. Present subsection (2) of section 562.111,  
8 Florida Statutes, is redesignated as subsection (3), and a new  
9 subsection (2) is added to that section, to read:

10 562.111 Possession of alcoholic beverages by persons  
11 under age 21 prohibited.--

12 (2) The prohibition against the possession of  
13 alcoholic beverages which is set forth in this section does  
14 not apply to the tasting of alcoholic beverages by a student  
15 who is over 17 years of age, who is tasting the alcoholic  
16 beverages as part of the student's required curriculum at a  
17 college that offers at least a baccalaureate degree and is  
18 accredited by one of the six regional accreditation boards  
19 recognized by the Department of Education, and who is enrolled  
20 in the college and is tasting the alcoholic beverages only for  
21 instructional purposes during classes that are part of such a  
22 curriculum, provided that such a student shall only be allowed  
23 to taste, but not consume or imbibe, such alcoholic beverages  
24 and that such alcoholic beverages at all times remain in the  
25 possession and control of authorized instructional personnel  
26 of the college, who must be 21 years of age or older.

27 Section 3. This act shall take effect July 1, 1999.  
28  
29  
30  
31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

SENATE SUMMARY

Provides an exemption from the Beverage Law for giving or serving to certain underage students alcoholic beverages that are delivered as part of a required curriculum at an accredited college. Provides an exemption for the possession of alcoholic beverages by underage students in specified circumstances.