

By the Committee on Regulated Industries and Senator Silver

315-1888A-99

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 certain institutions; 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 postsecondary educational institution that is institutionally
25 accredited by an agency recognized by the United States
26 Department of Education and is licensed or exempt from
27 licensure by the State Board of Independent Colleges and
28 Universities or is licensed by the State Board of Nonpublic
29 Career Education; if the student is enrolled in the
30 institution and is required to taste alcoholic beverages that
31 are provided only for instructional purposes during classes

1 conducted under the supervision of authorized instructional
2 personnel pursuant to such a curriculum; if alcoholic
3 beverages are never offered for consumption or imbibed by such
4 a student and such alcoholic beverages at all times remain in
5 the possession and control of such instructional personnel,
6 who must be 21 years of age or older; and if the college
7 indemnifies the state and causes each participating student to
8 execute a waiver and consent in favor of, and indemnifies and
9 holds harmless, the state.

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

13 562.111 Possession of alcoholic beverages by persons
14 under age 21 prohibited.--

15 (2) The prohibition against the possession of
16 alcoholic beverages which is set forth in this section does
17 not apply to the tasting of alcoholic beverages by a student
18 who is over 17 years of age, who is tasting the alcoholic
19 beverages as part of the student's required curriculum at a
20 postsecondary educational institution that is institutionally
21 accredited by an agency recognized by the United States
22 Department of Education and is licensed or exempt from
23 licensure by the State Board of Independent Colleges and
24 Universities or is licensed by the State Board of Nonpublic
25 Career Education; if the student is enrolled in the
26 institution and is tasting the alcoholic beverages only for
27 instructional purposes during classes that are part of such a
28 curriculum, provided that such a student shall only be allowed
29 to taste, but not consume or imbibe, such alcoholic beverages
30 and that such alcoholic beverages at all times remain in the

31

1 possession and control of authorized instructional personnel
2 of the college, who must be 21 years of age or older.

3 Section 3. This act shall take effect July 1, 1999.

4
5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 SB 202

8 Expands the types of institutions that may qualify for
9 exemption from the beverage law to include private,
10 postsecondary institutions that do not offer a baccalaureate
11 degree.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31