

522-142AXA-06

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Bitner offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Subsections (2) and (6) of section 567.01,
Florida Statutes, are amended to read:

567.01 Petition, order, notice of election.--

(2) The election so ordered shall be to decide either:

(a) Whether the sale of intoxicating liquors, wines,
or beer shall be prohibited or permitted in said county, and
to decide also whether such sale, if permitted by said
election, shall be restricted to sales by the package as
hereinafter defined; or

(b) After a prior election has authorized such sale
and has restricted sales to by the package only, whether
intoxicating liquors, wines, or beer shall be sold by the
drink for consumption on premises as provided in s.
567.07(2)(c).

(6) It is the purpose and intent of the Legislature

1 that such election shall obviate the necessity for holding two
2 separate elections, except as provided in s. 567.07(2)(c), by
3 determining in one election:

4 (a) Whether the sale of intoxicating liquors, wines,
5 or beer shall be prohibited or permitted, and

6 (b) If such sales are determined to be permitted, to
7 further determine whether the sales so made shall be limited
8 to sales by the package as herein before defined, or whether
9 sales by the drink on the premises, as well as sales by the
10 package, may be permitted.

11

12 A majority of those legally voting at such election must cast
13 their votes for selling intoxicating liquors, wines, or beer
14 in order that the results of the election on the second
15 question shall be effective and binding.

16 Section 2. Subsection (3) is added to section 567.06,
17 Florida Statutes, to read:

18 567.06 Form of ballot; canvassing votes.--

19 (3) However, for a local option election authorized by
20 s. 567.01(2)(b) on the sole question of whether intoxicating
21 liquors, wines, or beer may be sold by the drink for
22 consumption on premises, ballot instructions shall be
23 presented in the following form:

24

25 INSTRUCTIONS: Local Option Election on the Following
26 Question:

27

28 THE QUESTION BEFORE THE ELECTORATE is to decide
29 whether intoxicating liquors, wines, or beer,
30 containing more than 6.243 percent of alcohol
31 by volume, may be sold by the drink for

1 consumption on premises in () County,
2 Florida.

3
4 For Sales by the Drink:

5
6 followed by the word "yes" and also by the word "no," and
7 shall be styled in such a manner that a "yes" vote will
8 indicate approval of the question and a "no" vote will
9 indicate rejection.

10 Section 3. Section 567.07, Florida Statutes, is
11 amended to read:

12 567.07 Results of election.--

13 (1) If ~~Should~~ a majority of those legally voting at
14 any election under s. 567.01 cast their votes "Against Selling
15 Intoxicating Liquors, Wines, or Beer" on question number 1,
16 then no intoxicating liquors, wines, or beer shall be sold in
17 the county in which the ~~said~~ election was held until otherwise
18 determined by an election, which shall not be held oftener
19 than once in every 2 years.

20 (2) If ~~Should~~ a majority of those legally voting at
21 any such election cast their votes "For Selling Intoxicating
22 Liquors, Wines, or Beer" on question number 1 and a majority
23 of votes legally cast on question number 2 be cast "For Sales
24 by the Package Only," then:

25 (a) No intoxicating liquors, wines, or beer shall be
26 sold in said county that are not contained in sealed
27 containers. ~~, and~~

28 (b) No intoxicating liquors, wines, or beer shall be
29 consumed in said county on the premises where such
30 intoxicating liquors, wines, or beer are sold or on any other
31 premise under the control, either directly or indirectly, of

1 the licensee, until otherwise determined in an election, which
2 shall not be held oftener than once in every 2 years.

3 (c) After the expiration of 2 years, an election
4 pursuant to s. 567.01(2)(b) may be held to determine the sole
5 question of whether intoxicating liquors, wines, or beer may
6 be sold by the drink for consumption on premises. If a
7 majority of those legally voting cast their votes for selling
8 intoxicating liquors, wines, or beer by the drink for
9 consumption on premises, such alcoholic beverages may be sold
10 as otherwise provided by law in that county until otherwise
11 determined in an election, which shall not be held oftener
12 than once every 2 years. If a majority of those legally
13 voting cast their vote against the sale of intoxicating
14 liquors, wines, or beer by the drink for consumption on
15 premises, sales by the package only shall continue.

16 Section 4. This act shall take effect July 1, 1999.

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 remove from the title of the bill: the entire title

22

23 and insert in lieu thereof:

24

A bill to be entitled

25

An act relating to alcohol sales; amending s.

26

567.01, F.S.; providing for local option

27

elections to determine sales of intoxicating

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liquors, wines, or beer by the drink; amending

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s. 567.06, F.S.; providing ballot instructions

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for local option elections; amending s. 567.07,

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F.S.; providing for a local option election for

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sole purpose of determining whether
intoxicating liquors, wines, or beer may be
sold by the drink for consumption on premises;
providing an effective date.