

1  
2 An act relating to alcohol sales; amending s.  
3 567.01, F.S.; providing for local option  
4 elections to determine sales of intoxicating  
5 liquors, wines, or beer by the drink; amending  
6 s. 567.06, F.S.; providing ballot instructions  
7 for local option elections; amending s. 567.07,  
8 F.S.; providing for a local option election for  
9 sole purpose of determining whether  
10 intoxicating liquors, wines, or beer may be  
11 sold by the drink for consumption on premises;  
12 providing an effective date.

13

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

15

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

18 567.01 Petition, order, notice of election.--

19 (2) The election so ordered shall be to decide either:20 (a) Whether the sale of intoxicating liquors, wines,  
21 or beer shall be prohibited or permitted in said county, and  
22 to decide also whether such sale, if permitted by said  
23 election, shall be restricted to sales by the package as  
24 hereinafter defined; or25 (b) After a prior election has authorized such sale  
26 and has restricted sales to by the package only, whether  
27 intoxicating liquors, wines, or beer shall be sold by the  
28 drink for consumption on premises as provided in s.29 567.07(2)(c).30 (6) It is the purpose and intent of the Legislature  
31 that such election shall obviate the necessity for holding two

1 separate elections, except as provided in s. 567.07(2)(c), by  
2 determining in one election:

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

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

10

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

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

17 567.06 Form of ballot; canvassing votes.--

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

23

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

26

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

31

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.

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31