

By Representative Eggelletion

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

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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.

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