

By Representative R. Diaz de la Portilla

1                                   A bill to be entitled  
2           An act relating to alcoholic beverage licenses;  
3           creating s. 561.265, F.S.; providing notice  
4           requirements prior to the issuance of a license  
5           to sell alcoholic beverages for consumption on  
6           the premises; providing for the form of notice;  
7           providing for application; providing for the  
8           effect of local notice requirements; providing  
9           an effective date.

10

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

12

13           Section 1. Section 561.265, Florida Statutes, is  
14 created to read:

15           561.265 License to sell alcoholic beverages for  
16 consumption on premises; required notice.--

17           (1) Every person applying for a license to sell  
18 alcoholic beverages for consumption on the premises shall  
19 certify to the department that he or she has published notice  
20 thereof as follows:

21           (a) Publication of the notice took place in the county  
22 where the prospective licensed premises are located.

23           (b) Notice was published once a week for 2 successive  
24 weeks in a daily newspaper as defined in chapter 50. If there  
25 are no daily newspapers in the county where the premises are  
26 located, then such notice was published in a weekly newspaper  
27 published in the county where the premises are located. If no  
28 daily or weekly newspaper is published in said county then  
29 notice was posted as provided in s. 50.021.

30           (2) Such notice shall be printed in English in  
31 substantially the following form:

1  
2       Notice is hereby given that application for the  
3       sale of (beer, wine, or liquor, as the case may  
4       be) on premises will be made by the undersigned  
5       at least 5 days after the last date of  
6       publication of this notice. Retail sale will  
7       take place in a (name of the type of  
8       establishment, be it a hotel, club, restaurant,  
9       vessel, etc.) located at (street address, city,  
10       state, and zip code). Should any person desire  
11       to speak to the matter of issuance of a license  
12       for said premises, comments should be submitted  
13       to the department at (address of the office  
14       where the application will be made) in writing,  
15       along with the name, address, and phone number  
16       of the person making the comments.

17  
18               Name of the applicant(s)  
19               Address of the applicant(s)  
20

21       (3) The provisions of this section shall apply only to  
22       the application for the original license issued and shall not  
23       apply to any license renewal by the same applicant at the same  
24       location.

25       (4) The original copy of the proof of publication  
26       shall be submitted to the department with the application for  
27       the license.

28       (5) Notwithstanding any of the provisions of this  
29       section, in those municipalities or counties where publication  
30       of notice is already required by an applicant for a license to  
31       sell alcoholic beverages at retail, the local law or ordinance

1 shall control the publication requirements whether superior or  
2 inferior to this section. Where no notice of publication has  
3 been enacted at the local level, this section shall control  
4 the publication requirements.

5 Section 2. This act shall take effect July 1, 2000.

6

7

\*\*\*\*\*

8

HOUSE SUMMARY

9

10 Provides notice requirements prior to the issuance of an  
11 alcoholic beverage license for the sale of alcoholic  
12 beverages for consumption on the premises. See bill for  
13 details.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31