

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

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

The Committee on General Government Appropriations offered the following:

Amendment

On page 14, line 19 through page 17, line 27
remove from the bill: all of said lines

and insert in lieu thereof:

Section 9. Section 561.331, Florida Statutes, is amended to read:

561.331 Temporary license upon application for transfer, change of location, or change of type or series.--

(1) Upon the filing of a properly completed application for transfer pursuant to s. 561.32, which application does not on its face disclose any reason for denying an alcoholic beverage license, by any purchaser of a business which possesses a beverage license of any type or series, the purchaser of such business and the applicant for transfer are entitled as a matter of right to receive a temporary beverage license of the same type and series as that held by the seller of such business. The temporary license

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1 will be valid for all purposes under the Beverage Law until
2 the application is denied or until 14 days after the
3 application is approved. Such temporary beverage license shall
4 be issued by the district supervisor of the district in which
5 the application for transfer is made upon the payment of a fee
6 of \$100. A purchaser operating under the provisions of this
7 subsection is subject to the same rights, privileges, duties,
8 and limitations of a beverage licensee as are provided by law,
9 except that purchases of alcoholic beverages during the term
10 of such temporary license shall be for cash only. However,
11 such cash-only restriction does not apply if the entity
12 holding a temporary license pursuant to this section purchases
13 alcoholic beverages as part of a single-transaction
14 cooperative purchase placed by a pool buying agent or if such
15 entity is also the holder of a state beverage license
16 authorizing the purchase of the same type of alcoholic
17 beverages as authorized under the temporary license.

18 (2) Upon the filing of an application for change of
19 location pursuant to s. 561.33 by any qualified licensee who
20 possesses a beverage license of any type or series, which
21 application does not on its face disclose any reason for
22 denying an alcoholic beverage license, the licensee is
23 entitled as a matter of right to receive a temporary beverage
24 license of the same series as that license held by the
25 licensee to be valid for all purposes under the Beverage Law
26 until the application is denied or until 14 days after the
27 application is approved. Such temporary license shall be
28 issued by the district supervisor of the district in which the
29 application for change of location is made without the payment
30 of any further fee or tax. A licensee operating under the
31 provisions of this subsection is subject to the same rights,

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1 privileges, duties, and limitations of a beverage licensee as
2 are provided by law.

3 (3) Upon the filing of a properly completed
4 application to change the type or series of a beverage license
5 by any qualified licensee having a beverage license of any
6 type or series, which application does not on its face
7 disclose any reason for denying an alcoholic beverage license,
8 the licensee is entitled as a matter of right to receive a
9 temporary beverage license of the type or series applied for,
10 which temporary license is valid for all purposes under the
11 Beverage Law until the application is denied or until 14 days
12 after the application is approved. Such temporary license
13 shall be issued by the district supervisor of the district in
14 which the application for change of type or series is made. If
15 the department issues a notice of intent to deny the license
16 application for failure of the applicant to disclose the
17 information required by s. 561.15(2) or (4), the temporary
18 license for transfer, change of location, or change of type of
19 series expires and shall not be extended during any proceeding
20 for administrative or judicial review pursuant to chapter 120.
21 If the fee for the type or series or license applied for is
22 greater than the fee for the license then held by the
23 applicant, the applicant for such temporary license must pay a
24 fee in the amount of \$100 or one-fourth of the difference
25 between the fees, whichever amount is greater. A fee is not
26 required for an application for a temporary license of a type
27 or series for which the fee is the same as or less than the
28 fee for the license then held by the applicant. The holder of
29 a temporary license under this subsection is subject to the
30 same rights, privileges, duties, and limitations of a beverage
31 licensee as are provided by law.

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1 (4) Nothing in this section shall be construed to
2 permit the transfer or issuance of temporary licenses contrary
3 to the county-by-county limitation on the number of such
4 licenses based on population as provided in s. 561.20(1).
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