

By the Committee on Regulated Industries and Senator Silver

315-874-00

1 A bill to be entitled
2 An act relating to the Beverage Law; amending
3 ss. 562.11 and 562.111, F.S.; providing an
4 exemption for giving or serving to certain
5 underage students alcoholic beverages that are
6 delivered as part of a required curriculum at
7 an accredited institution; providing an
8 exemption for the possession of alcoholic
9 beverages by underage students in specified
10 circumstances; providing an effective date.

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

13
14 Section 1. Subsection (4) is added to section 562.11,
15 Florida Statutes, to read:

16 562.11 Selling, giving, or serving alcoholic beverages
17 to person under age 21; misrepresenting or misstating age or
18 age of another to induce licensee to serve alcoholic beverages
19 to person under 21; penalties.--

20 (4) This section does not apply to a person who gives,
21 serves, or permits to be served an alcoholic beverage to a
22 student who is at least 18 years of age, if the alcoholic
23 beverage is delivered as part of the student's required
24 curriculum at a postsecondary educational institution that is
25 institutionally accredited by an agency recognized by the
26 United States Department of Education and is either licensed
27 or exempt from licensure by the State Board of Independent
28 Colleges and Universities or that is a public postsecondary
29 education institution; if the student is enrolled in the
30 college and is required to taste alcoholic beverages that are
31 provided only for instructional purposes during classes

1 conducted under the supervision of authorized instructional
2 personnel pursuant to such a curriculum; if the alcoholic
3 beverages are never offered for consumption or imbibed by such
4 a student and at all times remain in the possession and
5 control of such instructional personnel, who must be 21 years
6 of age or older; and if each participating student executes a
7 waiver and consent in favor of, and indemnifies and holds
8 harmless, the state.

9 Section 2. Present subsection (2) of section 562.111,
10 Florida Statutes, is renumbered as subsection (3), and a new
11 subsection (2) is added to that section to read:

12 562.111 Possession of alcoholic beverages by persons
13 under age 21 prohibited.--

14 (2) The prohibition against the possession of
15 alcoholic beverages which is set forth in this section does
16 not apply to the tasting of alcoholic beverages by a student
17 who is at least 18 years of age, who is tasting the alcoholic
18 beverages as part of the student's required curriculum at a
19 postsecondary educational institution that is institutionally
20 accredited by an agency recognized by the United States
21 Department of Education and is either licensed or exempt from
22 licensure by the State Board of Independent Colleges and
23 Universities or that is a public postsecondary education
24 institution, if the student is enrolled in the college and is
25 tasting the alcoholic beverages only for instructional
26 purposes during classes that are part of such a curriculum; if
27 the student is allowed only to taste, but not consume or
28 imbibe, the alcoholic beverages; and if the alcoholic
29 beverages at all times remain in the possession and control of
30 authorized instructional personnel of the college, who must be
31 21 years of age or older.

1 Section 3. This act shall take effect July 1, 2000.

2

3 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
4 COMMITTEE SUBSTITUTE FOR
5 Senate Bill 234

6

7 The Committee Substitute for SB 234 clarifies that a student
8 must be at least 18 years of age to participate in the
9 programs outlined in the bill. It also deletes a provision
10 requiring a state educational institution to execute a waiver
11 and consent agreement in favor of the state due to such a
12 provision's potential inconsistency with current state law.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31