

Bill No. CS for SB 2542, 1st Eng.

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senator King moved the following amendment:		
12			
13	<b>Senate Amendment (with title amendment)</b>		
14	Delete everything after the enacting clause		
15			
16	and insert:		
17	Section 1. Section 509.049, Florida Statutes, is		
18	amended to read:		
19	509.049 Food service employee training.--The division		
20	shall adopt, by rule, minimum food safety protection standards		
21	for the training of all food service employees who are		
22	responsible for the storage, preparation, display, or serving		
23	of foods to the public in establishments regulated under this		
24	chapter. These standards shall not include an examination,		
25	<u>but shall provide for a food safety training certificate</u>		
26	<u>program for food service employees to be administered by a</u>		
27	<u>private nonprofit provider chosen by the division. The</u>		
28	<u>division shall issue a request for competitive sealed</u>		
29	<u>proposals which includes a statement of the contractual</u>		
30	<u>services sought and all terms and conditions applicable to the</u>		
31	<u>contract. The division shall award the contract to the</u>		

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 provider whose proposal is determined in writing to be the  
2 most advantageous to the state, taking into consideration the  
3 price and the other criteria set forth in the request for  
4 proposals. The division shall contract with a provider on a  
5 4-year basis and is authorized to promulgate by rule a per  
6 employee fee to cover the contracted price for the program  
7 administered by the provider. In making its selection, the  
8 division shall consider factors including, but not limited to,  
9 the experience and history of the provider in representing the  
10 food service industry, the provider's demonstrated commitment  
11 to food safety, and its ability to provide a statewide program  
12 with industry support and participation. Any food safety  
13 training program established and administered to food handler  
14 employees utilized at a public food service establishment  
15 prior to the effective date of this act shall be submitted by  
16 the operator to the division for its review and approval. If  
17 the food safety training program is approved by the division,  
18 nothing in this section shall preclude any other operator of a  
19 food service establishment from also utilizing the approved  
20 program or require the employees of any operator to receive  
21 training from or pay a fee to the division's contracted  
22 provider. Review and approval by the division of a program or  
23 programs under this section shall include, but not be limited  
24 to, the minimum food safety standards adopted by the division  
25 in accordance with this section ~~or certification~~. It shall be  
26 the duty of the licensee of the public food service  
27 establishment to provide training in accordance with the  
28 described rule to all employees under the licensee's  
29 supervision or control. The licensee may designate a  
30 certified food service manager to perform this function as an  
31 agent of the licensee. Food service employees must receive

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 certification pursuant to this section by January 1, 2001.  
2 Food service employees hired after November 1, 2000, must  
3 receive certification within 60 days after employment.  
4 Certification pursuant to this section shall remain valid for  
5 3 years.

6 Section 2. Subsection (1) of section 509.291, Florida  
7 Statutes, is amended to read:

8 509.291 Advisory council.--

9 (1) There is created a 10-member ~~an 18-member~~ advisory  
10 council.

11 (a) The Secretary of Business and Professional  
12 Regulation shall appoint five ~~11~~ voting members to the  
13 advisory council. Each member appointed by the secretary must  
14 be an operator of an establishment licensed under this chapter  
15 and shall represent the industries regulated by the division,  
16 except that one member appointed by the secretary must be a  
17 layperson and shall represent the general public. Such members  
18 of the council shall serve staggered terms of 4 years.

19 (b) ~~The division, the Department of Health, The~~  
20 Florida Hotel and Motel Association, the Florida Restaurant  
21 Association, the Florida Apartment Association, and the  
22 Florida Association of Realtors shall each designate one  
23 representative to serve as a voting member of the council, ~~and~~  
24 ~~one member appointed by the secretary must be appointed to~~  
25 ~~represent nontransient public lodging establishments.~~ In  
26 addition, one hospitality administration educator from an  
27 institution of higher education affiliated with the  
28 Hospitality Education Program pursuant to s. 509.302(2) shall  
29 serve for a term of 2 years as a voting member of the council.  
30 This single representative shall be designated on a rotating  
31 basis by the institution or institutions of higher education

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 affiliated with this program pursuant to s. 509.302(2).

2 (c) Any member who fails to attend three consecutive  
3 council meetings without good cause may be removed from the  
4 council by the secretary.

5 Section 3. Subsection (14) of section 561.01, Florida  
6 Statutes, is amended to read:

7 561.01 Definitions.--As used in the Beverage Law:

8 (14) "Licensee," ~~"applicant," or "person"~~ means a  
9 legal or business entity, person, or persons that hold a  
10 license issued by the division and meet the qualifications set  
11 forth in s. 561.15 ~~an individual, corporation, firm,~~  
12 ~~partnership, limited partnership, incorporated association,~~  
13 ~~unincorporated association, professional association, or other~~  
14 ~~legal or commercial entity; a combination of such entities; or~~  
15 ~~any such entity having a financial interest, directly or~~  
16 ~~indirectly, in another such entity.~~

17 Section 4. Subsection (1) of section 561.17, Florida  
18 Statutes, is amended to read:

19 561.17 License and registration applications; approved  
20 person.--

21 (1) Any person, before engaging in the business of  
22 manufacturing, bottling, distributing, selling, or in any way  
23 dealing in alcoholic beverages, shall file, with the district  
24 licensing personnel supervisor of the district of the division  
25 in which the place of business for which a license is sought  
26 is located, a sworn application in duplicate on forms provided  
27 to the district licensing personnel supervisor by the  
28 division. The applicant must be a legal or business entity,  
29 person, or persons and must include all persons, officers,  
30 shareholders, and directors of such legal or business entity  
31 that have a direct or indirect interest in the business

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 seeking to be licensed under this part. However, the applicant  
2 does not include any person that derives revenue from the  
3 license solely through a contractual relationship with the  
4 licensee, the substance of which contractual relationship is  
5 not related to the control of the sale of alcoholic beverages.  
6 Prior to any application being approved, the division may  
7 require the applicant to file a set of fingerprints on regular  
8 United States Department of Justice forms for herself or  
9 himself and for any person or persons interested directly or  
10 indirectly with the applicant in the business for which the  
11 license is being sought, when so required by the division. If  
12 the applicant or any person who is interested with the  
13 applicant either directly or indirectly in the business or who  
14 has a security interest in the license being sought or has a  
15 right to a percentage payment from the proceeds of the  
16 business, either by lease or otherwise, is not qualified, the  
17 application shall be denied by the division. However, any  
18 company regularly traded on a national securities exchange and  
19 not over the counter; any insurer, as defined in the Florida  
20 Insurance Code; or any bank or savings and loan association  
21 chartered by this state, another state, or the United States  
22 which has an interest, directly or indirectly, in an alcoholic  
23 beverage license shall not be required to obtain division  
24 approval of its officers, directors, or stockholders or any  
25 change of such positions or interests. A shopping center with  
26 five or more stores, one or more of which has an alcoholic  
27 beverage license and is required under a lease common to all  
28 shopping center tenants to pay no more than 10 percent of the  
29 gross proceeds of the business holding the license to the  
30 shopping center, shall not be considered as having an  
31 interest, directly or indirectly, in the license.

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1           Section 5. Section 561.181, Florida Statutes, is  
2 amended to read:

3           561.181 Temporary initial licenses.--

4           (1)(a) When any person has filed a properly completed  
5 application which does not on its face disclose any reason for  
6 denying an alcoholic beverage license, the division shall  
7 issue to such person a temporary initial license of the same  
8 type and series for which the application has been submitted,  
9 to be valid for all purposes under the Beverage Law, except as  
10 provided in paragraph (b).

11           (b) A license issued under this section entitles a  
12 vendor to purchase alcoholic beverages for cash only. This  
13 paragraph does not apply:

14           1. If the entity holding the temporary initial license  
15 is also the holder of a beverage license authorizing the  
16 purchase of the same type of alcoholic beverages as is  
17 authorized under the temporary license.

18           2. To purchases made as part of a single-transaction  
19 cooperative purchase placed by a pool buying agent.

20           ~~(2) The temporary initial license shall be valid until~~  
21 ~~the application is denied or until 14 days after the~~  
22 ~~application is approved.~~

23           (2)(3) A temporary initial license shall expire and  
24 shall not be continued or extended beyond the date the  
25 division denies the application for license, beyond 14 days  
26 after the date the division approves the application for  
27 license, or beyond the date the applicant pays the license fee  
28 for and the division issues the license applied for, ~~or beyond~~  
29 ~~the date the temporary initial license otherwise expires by~~  
30 ~~law, whichever date occurs first. If the department issues a~~  
31 ~~notice of intent to deny the license application for failure~~

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 of the applicant to disclose the information required by s.  
2 561.15(2) or (4), the initial temporary license expires and  
3 shall not be extended during any proceeding for administrative  
4 or judicial review pursuant to chapter 120.

5 (3)~~(4)~~ Each applicant seeking a temporary initial  
6 license shall pay to the division for such license a fee equal  
7 to one-fourth of the annual license fee for the type and  
8 series of license being applied for or \$100, whichever is  
9 greater, which fee shall be deposited into the General Revenue  
10 Fund.

11 Section 6. Subsection (1) and paragraph (a) of  
12 subsection (2) of section 561.20, Florida Statutes, are  
13 amended to read:

14 561.20 Limitation upon number of licenses issued.--

15 (1) No license under s. 565.02(1)(a)-(f), inclusive,  
16 shall be issued so that the number of such licenses within the  
17 limits of the territory of any county exceeds one such license  
18 to each 7,500 ~~5,000~~ residents within such county. Regardless  
19 of the number of quota licenses issued prior to October 1,  
20 2000 ~~1992~~, on and after that date, a new license under s.  
21 565.02(1)(a)-(f), inclusive, shall be issued for each  
22 population increase of 7,500 ~~5,000~~ residents above the number  
23 of residents who resided in the county according to the April  
24 1, 1999 ~~1991~~, Florida Estimate of Population as published by  
25 the Bureau of Economic and Business Research at the University  
26 of Florida, and thereafter, based on the last regular  
27 population estimate prepared pursuant to s. 186.901, for such  
28 county. Such population estimates shall be the basis for  
29 annual license issuance regardless of any local acts to the  
30 contrary. However, such limitation shall not prohibit the  
31 issuance of at least three licenses in any county that may

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 approve the sale of intoxicating liquors in such county.

2 (2)(a) No such limitation of the number of licenses as  
3 herein provided shall henceforth prohibit the issuance of a  
4 special license to:

5 1. Any bona fide hotel, motel, or motor court of not  
6 fewer than 80 guest rooms in any county having a population of  
7 less than 50,000 residents, and of not fewer than 100 guest  
8 rooms in any county having a population of 50,000 residents or  
9 greater; or any bona fide hotel or motel located in a historic  
10 structure, as defined in s. 561.01(21), with fewer than 100  
11 guest rooms which derives at least 51 percent of its gross  
12 revenue from the rental of hotel or motel rooms, which is  
13 licensed as a public lodging establishment by the Division of  
14 Hotels and Restaurants; provided, however, that a bona fide  
15 hotel or motel with no fewer than 10 and no more than 25 guest  
16 rooms which is a historic structure, as defined in s.  
17 561.01(21), in a municipality that on the effective date of  
18 this act has a population, according to the University of  
19 Florida's Bureau of Economic and Business Research Estimates  
20 of Population for 1998, of no fewer than 25,000 and no more  
21 than 35,000 residents and that is within a constitutionally  
22 chartered county may be issued a special license. This special  
23 license shall allow the sale and consumption of alcoholic  
24 beverages only on the licensed premises of the hotel or motel.  
25 In addition, the hotel or motel must derive at least 60  
26 percent of its gross revenue from the rental of hotel or motel  
27 rooms and the sale of food and nonalcoholic beverages;  
28 provided that the provisions of this subparagraph shall  
29 supersede local laws requiring a greater number of hotel  
30 rooms;

31 2. Any condominium accommodation of which no fewer

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 than 100 condominium units are wholly rentable to transients  
2 and which is licensed under the provisions of chapter 509,  
3 except that the license shall be issued only to the person or  
4 corporation which operates the hotel or motel operation and  
5 not to the association of condominium owners;

6           3. Any condominium accommodation of which no fewer  
7 than 50 condominium units are wholly rentable to transients,  
8 which is licensed under the provisions of chapter 509, and  
9 which is located in any county having home rule under s. 10 or  
10 s. 11, Art. VIII of the State Constitution of 1885, as  
11 amended, and incorporated by reference in s. 6(e), Art. VIII  
12 of the State Constitution, except that the license shall be  
13 issued only to the person or corporation which operates the  
14 hotel or motel operation and not to the association of  
15 condominium owners; ~~or~~

16           4. Any restaurant having 2,500 square feet of service  
17 area and equipped to serve 150 persons full course meals at  
18 tables at one time, and deriving at least 51 percent of its  
19 gross revenue from the sale of food and nonalcoholic  
20 beverages; however, no restaurant granted a special license on  
21 or after January 1, 1958, pursuant to general or special law  
22 shall operate as a package store, nor shall intoxicating  
23 beverages be sold under such license after the hours of  
24 serving food have elapsed; ~~or-~~

25           5. Any caterer, deriving at least 51 percent of its  
26 gross revenue from the sale of food and nonalcoholic  
27 beverages, licensed by the Division of Hotels and Restaurants  
28 under chapter 509. Notwithstanding any other provision of law  
29 to the contrary, a licensee under this subparagraph shall sell  
30 or serve alcoholic beverages only for consumption on the  
31 premises of a catered event at which the licensee is also

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 providing prepared food, and shall prominently display its  
2 license at any catered event at which the caterer is selling  
3 or serving alcoholic beverages. A licensee under this  
4 subparagraph shall purchase all alcoholic beverages it sells  
5 or serves at a catered event from a vendor licensed under s.  
6 563.02(1), s. 564.02(1), or licensed under s. 565.02(1)  
7 subject to the limitation imposed in s. 561.20(1), as  
8 appropriate. A licensee under this subparagraph may not store  
9 any alcoholic beverages to be sold or served at a catered  
10 event. Any alcoholic beverages purchased by a licensee under  
11 this subparagraph for a catered event that are not used at  
12 that event must remain with the customer; provided that if the  
13 vendor accepts unopened alcoholic beverages, the licensee may  
14 return such alcoholic beverages, to the vendor for a credit or  
15 reimbursement. Regardless of the county or counties in which  
16 the licensee operates, a licensee under this subparagraph  
17 shall pay the annual state license tax set forth in s.  
18 565.02(1)(b). A licensee under this subparagraph must maintain  
19 for a period of 3 years all records required by the department  
20 by rule to demonstrate compliance with the requirements of  
21 this subparagraph, including licensed vendor receipts for the  
22 purchase of alcoholic beverages and records identifying each  
23 customer and the location and date of each catered event.  
24 Notwithstanding any provision of law to the contrary, any  
25 vendor licensed under s. 565.02(1) subject to the limitation  
26 imposed in s. 561.20(1), may, without any additional licensure  
27 under this subparagraph, serve or sell alcoholic beverages for  
28 consumption on the premises of a catered event at which  
29 prepared food is provided by a caterer licensed under chapter  
30 509. If a licensee under this subparagraph also possesses any  
31 other license under the Beverage Law, the license issued under

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 this subparagraph shall not authorize the holder to conduct  
2 activities on the premises to which the other license or  
3 licenses apply that would otherwise be prohibited by the terms  
4 of that license or the Beverage Law. Nothing in this section  
5 shall permit the licensee to conduct activities that are  
6 otherwise prohibited by the Beverage Law or local law. The  
7 Division of Alcoholic Beverages and Tobacco is hereby  
8 authorized to adopt rules to administer the license created in  
9 this subparagraph, to include rules governing licensure,  
10 recordkeeping, and enforcement. The first \$300,000 in fees  
11 collected by the division each fiscal year pursuant to this  
12 subparagraph shall be deposited in the Department of Children  
13 and Family Services' Operations and Maintenance Trust Fund to  
14 be used only for alcohol and drug abuse education, treatment,  
15 and prevention programs. The remainder of the fees collected  
16 shall be deposited into the Hotel and Restaurant Trust Fund  
17 created pursuant to s. 509.072.

18  
19 However, any license heretofore issued to any such hotel,  
20 motel, motor court, or restaurant or hereafter issued to any  
21 such hotel, motel, or motor court, including a condominium  
22 accommodation, under the general law shall not be moved to a  
23 new location, such license being valid only on the premises of  
24 such hotel, motel, motor court, or restaurant. Licenses issued  
25 to hotels, motels, motor courts, or restaurants under the  
26 general law and held by such hotels, motels, motor courts, or  
27 restaurants on May 24, 1947, shall be counted in the quota  
28 limitation contained in subsection (1). Any license issued  
29 for any hotel, motel, or motor court under the provisions of  
30 this law shall be issued only to the owner of the hotel,  
31 motel, or motor court or, in the event the hotel, motel, or

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 motor court is leased, to the lessee of the hotel, motel, or  
2 motor court; and the license shall remain in the name of the  
3 owner or lessee so long as the license is in existence. Any  
4 special license now in existence heretofore issued under the  
5 provisions of this law cannot be renewed except in the name of  
6 the owner of the hotel, motel, motor court, or restaurant or,  
7 in the event the hotel, motel, motor court, or restaurant is  
8 leased, in the name of the lessee of the hotel, motel, motor  
9 court, or restaurant in which the license is located and must  
10 remain in the name of the owner or lessee so long as the  
11 license is in existence. Any license issued under this  
12 section shall be marked "Special," and nothing herein provided  
13 shall limit, restrict, or prevent the issuance of a special  
14 license for any restaurant or motel which shall hereafter meet  
15 the requirements of the law existing immediately prior to the  
16 effective date of this act, if construction of such restaurant  
17 has commenced prior to the effective date of this act and is  
18 completed within 30 days thereafter, or if an application is  
19 on file for such special license at the time this act takes  
20 effect; and any such licenses issued under this proviso may be  
21 annually renewed as now provided by law. Nothing herein  
22 prevents an application for transfer of a license to a bona  
23 fide purchaser of any hotel, motel, motor court, or restaurant  
24 by the purchaser of such facility or the transfer of such  
25 license pursuant to law.

26 Section 7. Paragraph (k) is added to subsection (1) of  
27 section 561.29, Florida Statutes, to read:

28 561.29 Revocation and suspension of license; power to  
29 subpoena.--

30 (1) The division is given full power and authority to  
31 revoke or suspend the license of any person holding a license

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 under the Beverage Law, when it is determined or found by the  
2 division upon sufficient cause appearing of:

3 (k) Failure by the holder of any license issued under  
4 the Beverage Law to comply with a stipulation, consent order,  
5 or final order.

6 Section 8. Subsection (5) of section 561.32, Florida  
7 Statutes, is amended, and subsection (6) is added to said  
8 section, to read:

9 561.32 Transfer of licenses; change of officers or  
10 directors; transfer of interest.--

11 (5) The division shall waive the transfer fee and the  
12 delinquent penalties, but not the license renewal fee, when  
13 the transfer of an interest in an alcoholic beverage license  
14 occurs by operation of law because of a death, judicial  
15 proceedings, court appointment of a fiduciary, foreclosure or  
16 forced judicial sale, bankruptcy proceedings, or seizure of a  
17 license by a government agency.

18 (6)(a) Notwithstanding any other provision of law,  
19 except as provided in paragraph (b), any license issued after  
20 October 1, 2000, under s. 561.20(1) shall not be transferable  
21 in any manner, directly or indirectly, including by any change  
22 in stock, partnership shares, or other form of ownership of  
23 any entity holding the license, except by probate or  
24 guardianship proceedings. Any attempted assignment, sale, or  
25 transfer of interest in such license, directly or indirectly,  
26 in violation of this provision is hereby declared void and the  
27 license shall be deemed abandoned and shall revert to the  
28 state to be issued in the manner provided by law for issuance  
29 of new licenses.

30 (b) A license issued after October 1, 2000, under s.  
31 561.20(1) may be transferred as provided by law only upon

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 payment to the division of a transfer fee in an amount equal  
2 to fifty times the annual license fee specified in s.  
3 565.02(1)(b)-(f) in the county in which the license is valid.  
4 However, if the county is only authorized for the issuance of  
5 a liquor license for package sales only, the transfer fee  
6 shall be an amount equal to fifty times the annual license fee  
7 specified in s. 565.02(1)(a). The transfer fee provided for in  
8 this paragraph shall be in addition to any other transfer fee  
9 provided by paragraph (3)(a).

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

12 561.331 Temporary license upon application for  
13 transfer, change of location, or change of type or series.--

14 (1) Upon the filing of a properly completed  
15 application for transfer pursuant to s. 561.32, which  
16 application does not on its face disclose any reason for  
17 denying an alcoholic beverage license, by any purchaser of a  
18 business which possesses a beverage license of any type or  
19 series, the purchaser of such business and the applicant for  
20 transfer are entitled as a matter of right to receive a  
21 temporary beverage license of the same type and series as that  
22 held by the seller of such business. The temporary license  
23 will be valid for all purposes under the Beverage Law until  
24 the application is denied or until 14 days after the  
25 application is approved. Such temporary beverage license shall  
26 be issued by the district supervisor of the district in which  
27 the application for transfer is made upon the payment of a fee  
28 of \$100. A purchaser operating under the provisions of this  
29 subsection is subject to the same rights, privileges, duties,  
30 and limitations of a beverage licensee as are provided by law,  
31 except that purchases of alcoholic beverages during the term

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 of such temporary license shall be for cash only. However,  
2 such cash-only restriction does not apply if the entity  
3 holding a temporary license pursuant to this section purchases  
4 alcoholic beverages as part of a single-transaction  
5 cooperative purchase placed by a pool buying agent or if such  
6 entity is also the holder of a state beverage license  
7 authorizing the purchase of the same type of alcoholic  
8 beverages as authorized under the temporary license.

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

25 (3) Upon the filing of a properly completed  
26 application to change the type or series of a beverage license  
27 by any qualified licensee having a beverage license of any  
28 type or series, which application does not on its face  
29 disclose any reason for denying an alcoholic beverage license,  
30 the licensee is entitled as a matter of right to receive a  
31 temporary beverage license of the type or series applied for,

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 which temporary license is valid for all purposes under the  
2 Beverage Law until the application is denied or until 14 days  
3 after the application is approved. Such temporary license  
4 shall be issued by the district supervisor of the district in  
5 which the application for change of type or series is made. If  
6 the department issues a notice of intent to deny the license  
7 application for failure of the applicant to disclose the  
8 information required by s. 561.15(2) or (4), the temporary  
9 license for transfer, change of location, or change of type of  
10 series expires and shall not be extended during any proceeding  
11 for administrative or judicial review pursuant to chapter 120.

12 If the fee for the type or series or license applied for is  
13 greater than the fee for the license then held by the  
14 applicant, the applicant for such temporary license must pay a  
15 fee in the amount of \$100 or one-fourth of the difference  
16 between the fees, whichever amount is greater. A fee is not  
17 required for an application for a temporary license of a type  
18 or series for which the fee is the same as or less than the  
19 fee for the license then held by the applicant. The holder of  
20 a temporary license under this subsection is subject to the  
21 same rights, privileges, duties, and limitations of a beverage  
22 licensee as are provided by law.

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

27 Section 10. Section 565.05, Florida Statutes, is  
28 amended to read:

29 565.05 Purchase of distilled spirits by licensed  
30 clubs; size of individual containers.--It is unlawful for any  
31 person holding a license as a club for the sale of distilled

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 spirits to purchase any of said distilled spirits in  
2 individual containers larger than 1.75 liters or 59.18 ounces,  
3 or smaller than 0.50 liter or 16.9 ounces, except for golf  
4 clubs licensed pursuant to s. 561.20(7)(b), which may purchase  
5 50 milliliter or 1.7 ounce containers.

6 Section 11. Section 565.06, Florida Statutes, is  
7 amended to read:

8 565.06 Clubs to sell only individual drinks.--It is  
9 unlawful for any person holding a license as a club for the  
10 sale of intoxicating liquors and beverages to sell the same  
11 except by the individual drink. However, golf clubs licensed  
12 pursuant to s. 561.20(7)(b) may sell individual containers of  
13 50 milliliters or 1.7 ounces for consumption on the premises  
14 only.

15 Section 12. This act shall take effect July 1, 2000.

16  
17

18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 Delete everything before the enacting clause

21

22 and insert:

23 A bill to be entitled  
24 An act relating to the Department of Business  
25 and Professional Regulation; amending s.  
26 509.049, F.S.; revising language with respect  
27 to food service employee training; providing  
28 for a food service training certificate  
29 program; providing for approval of existing  
30 programs; providing for requests for  
31 competitive sealed proposals; requiring certain

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 food service employees to receive certification  
2 by certain times certain; providing for time of  
3 validity of certification; amending s. 509.291,  
4 F.S.; revising the membership of the Hotel and  
5 Restaurant Advisory Council; amending s.  
6 561.01, F.S.; revising the definition of the  
7 term "licensee" under the Beverage Law;  
8 amending s. 561.17, F.S.; revising a provision  
9 relating to license and registration  
10 applications under the Beverage Law; amending  
11 s. 561.181, F.S.; revising language with  
12 respect to temporary initial licenses; amending  
13 s. 561.20, F.S.; revising language with respect  
14 to the limitation on the number of alcoholic  
15 beverage licenses issued; creating a special  
16 license category for caterers; providing  
17 conditions for operation; providing for  
18 adoption of rules; providing for deposit of  
19 fees; amending s. 561.29, F.S.; revising  
20 language with respect to the revocation and  
21 suspension of licenses under the Beverage Law  
22 to include another prohibition; amending s.  
23 561.32, F.S.; revising a provision relating to  
24 the transfer of a license; prohibiting  
25 transfers of certain licenses under the  
26 Beverage Law; providing exceptions; providing  
27 for reversion to the state of certain licenses  
28 deemed abandoned; providing for transfer of  
29 certain licenses under certain circumstances;  
30 specifying fees for such transfers; amending s.  
31 561.331, F.S.; revising language with respect

Bill No. CS for SB 2542, 1st Eng.

Amendment No. \_\_\_\_

1 to a temporary license issued upon application  
2 for transfer, change of location, or change of  
3 type or series; amending s. 565.05, F.S. ;  
4 providing an exception regarding the purchase  
5 of alcoholic beverages by golf clubs; amending  
6 s. 565.06, F.S.; authorizing the sale of  
7 alcoholic beverages in certain individual  
8 containers at golf clubs; providing an  
9 effective date.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31