

1 A bill to be entitled
2 An act relating to the Department of Business
3 and Professional Regulation; amending s.
4 509.049, F.S.; revising language with respect
5 to food service employee training; providing
6 for a food service training certificate
7 program; providing for approval of existing
8 programs; providing for requests for
9 competitive sealed proposals; amending s.
10 509.291, F.S.; revising the membership of the
11 Hotel and Restaurant Advisory Council; amending
12 s. 561.01, F.S.; revising the definition of the
13 term "licensee" under the Beverage Law;
14 amending s. 561.17, F.S.; revising a provision
15 relating to license and registration
16 applications under the Beverage Law; amending
17 s. 561.20, F.S.; revising language with respect
18 to the limitation on the number of alcoholic
19 beverage licenses issued; creating a special
20 license category for caterers; providing
21 conditions for operation; providing for
22 adoption of rules; amending s. 561.29, F.S.;
23 revising language with respect to the
24 revocation and suspension of licenses under the
25 Beverage Law to include another prohibition;
26 amending s. 561.32, F.S.; revising provisions
27 relating to transfer of a license under the
28 Beverage Law; revising a provision relating to
29 the transfer of a license; amending s. 565.05,
30 F.S.; providing an exception regarding the
31 purchase of alcoholic beverages by golf clubs;

1 amending s. 565.06, F.S.; authorizing the sale
2 of alcoholic beverages in certain individual
3 containers at golf clubs; amending s. 561.181,
4 F.S.; revising provisions relating to the
5 duration of temporary initial licenses;
6 amending s. 561.331, F.S.; revising provisions
7 relating to the duration of temporary transfer
8 licenses; providing an effective date.
9

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

11
12 Section 1. Section 509.049, Florida Statutes, is
13 amended to read:

14 509.049 Food service employee training.--The division
15 shall adopt, by rule, minimum food safety protection standards
16 for the training of all food service employees who are
17 responsible for the storage, preparation, display, or serving
18 of foods to the public in establishments regulated under this
19 chapter. These standards shall not include an examination,
20 but shall provide for a food safety training certificate
21 program for food service employees to be administered by a
22 private nonprofit provider chosen by the division. The
23 division shall issue a request for competitive sealed
24 proposals which includes a statement of the contractual
25 services sought and all terms and conditions applicable to the
26 contract. The division shall award the contract to the
27 provider whose proposal is determined in writing to be the
28 most advantageous to the state, taking into consideration the
29 price and the other criteria set forth in the request for
30 proposals. The division shall contract with a provider on a
31 4-year basis and is authorized to promulgate by rule a per

1 employee fee to cover the contracted price for the program
2 administered by the provider. In making its selection, the
3 division shall consider factors including, but not limited to,
4 the experience and history of the provider in representing the
5 food service industry, the provider's demonstrated commitment
6 to food safety, and its ability to provide a statewide program
7 with industry support and participation. Any food safety
8 training program established and administered to food handler
9 employees utilized at a public food service establishment
10 prior to the effective date of this act shall be submitted by
11 the operator to the division for its review and approval. If
12 the food safety training program is approved by the division,
13 nothing in this section shall preclude any other operator of a
14 food service establishment from also utilizing the approved
15 program or require the employees of any operator to receive
16 training from or pay a fee to the division's contracted
17 provider. Review and approval by the division of a program or
18 programs under this section shall include, but not be limited
19 to, the minimum food safety standards adopted by the division
20 in accordance with this section ~~or certification~~. It shall be
21 the duty of the licensee of the public food service
22 establishment to provide training in accordance with the
23 described rule to all employees under the licensee's
24 supervision or control. The licensee may designate a
25 certified food service manager to perform this function as an
26 agent of the licensee. Food service employees must receive
27 certification pursuant to this section by January 1, 2001.
28 Food service employees hired after November 1, 2000, must
29 receive certification within 60 days after employment.
30 Certification pursuant to this section remains valid for 3
31 years.

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

3 509.291 Advisory council.--

4 (1) There is created a ten-member ~~an 18-member~~
5 advisory council.

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

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

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

31

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

3 561.01 Definitions.--As used in the Beverage Law:

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

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

15 561.17 License and registration applications; approved
16 person.--

17 (1) Any person, before engaging in the business of
18 manufacturing, bottling, distributing, selling, or in any way
19 dealing in alcoholic beverages, shall file, with the district
20 licensing personnel supervisor of the district of the division
21 in which the place of business for which a license is sought
22 is located, a sworn application in duplicate on forms provided
23 to the district licensing personnel supervisor by the
24 division. The applicant must be a legal or business entity,
25 person, or persons and must include all persons, officers,
26 shareholders, and directors of such legal or business entity
27 that have a direct or indirect interest in the business
28 seeking to be licensed under this part. However, the applicant
29 does not include any person that derives revenue from the
30 license solely through a contractual relationship with the
31 licensee, the substance of which contractual relationship is

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

28 Section 5. Subsection (1) and paragraph (a) of
29 subsection (2) of section 561.20, Florida Statutes, are
30 amended to read:

31 561.20 Limitation upon number of licenses issued.--

1 (1) No license under s. 565.02(1)(a)-(f), inclusive,
2 shall be issued so that the number of such licenses within the
3 limits of the territory of any county exceeds one such license
4 to each 7,500 ~~5,000~~ residents within such county. Regardless
5 of the number of quota licenses issued prior to October 1,
6 2000 ~~1992~~, on and after that date, a new license under s.
7 565.02(1)(a)-(f), inclusive, shall be issued for each
8 population increase of 7,500 ~~5,000~~ residents above the number
9 of residents who resided in the county according to the April
10 1, 1999 ~~1991~~, Florida Estimate of Population as published by
11 the Bureau of Economic and Business Research at the University
12 of Florida, and thereafter, based on the last regular
13 population estimate prepared pursuant to s. 186.901, for such
14 county. Such population estimates shall be the basis for
15 annual license issuance regardless of any local acts to the
16 contrary. However, such limitation shall not prohibit the
17 issuance of at least three licenses in any county that may
18 approve the sale of intoxicating liquors in such county.

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

22 1. Any bona fide hotel, motel, or motor court of not
23 fewer than 80 guest rooms in any county having a population of
24 less than 50,000 residents, and of not fewer than 100 guest
25 rooms in any county having a population of 50,000 residents or
26 greater; or any bona fide hotel or motel located in a historic
27 structure, as defined in s. 561.01(21), with fewer than 100
28 guest rooms which derives at least 51 percent of its gross
29 revenue from the rental of hotel or motel rooms, which is
30 licensed as a public lodging establishment by the Division of
31 Hotels and Restaurants; provided, however, that a bona fide

1 hotel or motel with no fewer than 10 and no more than 25 guest
2 rooms which is a historic structure, as defined in s.
3 561.01(21), in a municipality that on the effective date of
4 this act has a population, according to the University of
5 Florida's Bureau of Economic and Business Research Estimates
6 of Population for 1998, of no fewer than 25,000 and no more
7 than 35,000 residents and that is within a constitutionally
8 chartered county may be issued a special license. This special
9 license shall allow the sale and consumption of alcoholic
10 beverages only on the licensed premises of the hotel or motel.
11 In addition, the hotel or motel must derive at least 60
12 percent of its gross revenue from the rental of hotel or motel
13 rooms and the sale of food and nonalcoholic beverages;
14 provided that the provisions of this subparagraph shall
15 supersede local laws requiring a greater number of hotel
16 rooms;

17 2. Any condominium accommodation of which no fewer
18 than 100 condominium units are wholly rentable to transients
19 and which is licensed under the provisions of chapter 509,
20 except that the license shall be issued only to the person or
21 corporation which operates the hotel or motel operation and
22 not to the association of condominium owners;

23 3. Any condominium accommodation of which no fewer
24 than 50 condominium units are wholly rentable to transients,
25 which is licensed under the provisions of chapter 509, and
26 which is located in any county having home rule under s. 10 or
27 s. 11, Art. VIII of the State Constitution of 1885, as
28 amended, and incorporated by reference in s. 6(e), Art. VIII
29 of the State Constitution, except that the license shall be
30 issued only to the person or corporation which operates the
31

1 hotel or motel operation and not to the association of
2 condominium owners; ~~or~~

3 4. Any restaurant having 2,500 square feet of service
4 area and equipped to serve 150 persons full course meals at
5 tables at one time, and deriving at least 51 percent of its
6 gross revenue from the sale of food and nonalcoholic
7 beverages; however, no restaurant granted a special license on
8 or after January 1, 1958, pursuant to general or special law
9 shall operate as a package store, nor shall intoxicating
10 beverages be sold under such license after the hours of
11 serving food have elapsed; or-

12 5. Any caterer deriving at least 51 percent of its
13 gross revenue from the sale of food and nonalcoholic beverages
14 licensed by the Division of Hotels and Restaurants under
15 chapter 509. Notwithstanding any other provision of law to the
16 contrary, a licensee under this subparagraph shall sell or
17 serve alcoholic beverages only for consumption on the premises
18 of a catered event at which the licensee is also providing
19 prepared food, and shall prominently display its license at
20 any catered event at which the caterer is selling or serving
21 alcoholic beverages. A licensee under this subparagraph shall
22 purchase all alcoholic beverages it sells or serves at a
23 catered event from a vendor licensed under s. 563.02(1) or s.
24 564.02(1), or licensed under s. 565.02(1) subject to the
25 limitation imposed in s. 561.20(1), as appropriate. A licensee
26 under this subparagraph may not store any alcoholic beverages
27 to be sold or served at a catered event. Any alcoholic
28 beverages purchased by a licensee under this subparagraph for
29 a catered event that are not used at that event must remain
30 with the customer; provided that if the vendor accepts
31 unopened alcoholic beverages, the licensee may return such

1 alcoholic beverages, to the vendor for a credit or
2 reimbursement. Regardless of the county or counties in which
3 the licensee operates, a licensee under this subparagraph
4 shall pay the annual state license tax set forth in s.
5 565.02(1)(b). A licensee under this subparagraph must maintain
6 for a period of 3 years all records required by the department
7 by rule to demonstrate compliance with the requirements of
8 this subparagraph, including licensed vendor receipts for the
9 purchase of alcoholic beverages and records identifying each
10 customer and the location and date of each catered event.
11 Notwithstanding any provision of law to the contrary, any
12 vendor licensed under s. 565.02(1) subject to the limitation
13 imposed in s. 561.20(1) may, without any additional licensure
14 under this subparagraph, serve or sell alcoholic beverages for
15 consumption on the premises of a catered event at which
16 prepared food is provided by a caterer licensed under chapter
17 509. If a licensee under this subparagraph also possesses any
18 other license under the Beverage Law, the license issued under
19 this subparagraph shall not authorize the holder to conduct
20 activities on the premises to which the other license or
21 licenses apply that would otherwise be prohibited by the terms
22 of that license or the Beverage Law. Nothing in this section
23 shall permit the licensee to conduct activities that are
24 otherwise prohibited by the Beverage Law or local law. The
25 Division of Alcoholic Beverages and Tobacco is hereby
26 authorized to adopt rules to administer the license created in
27 this subparagraph, to include rules governing licensure,
28 recordkeeping, and enforcement. The first \$300,000 in fees
29 collected by the division each fiscal year pursuant to this
30 subparagraph shall be deposited in the Department of Children
31 and Family Services' Operations and Maintenance Trust Fund to

1 be used only for alcohol and drug abuse education, treatment
2 and prevention programs. The remainder of the fees collected
3 shall be deposited into the Hotel and Restaurant Trust Fund
4 created pursuant to s. 509.072.

5
6 However, any license heretofore issued to any such hotel,
7 motel, motor court, or restaurant or hereafter issued to any
8 such hotel, motel, or motor court, including a condominium
9 accommodation, under the general law shall not be moved to a
10 new location, such license being valid only on the premises of
11 such hotel, motel, motor court, or restaurant. Licenses issued
12 to hotels, motels, motor courts, or restaurants under the
13 general law and held by such hotels, motels, motor courts, or
14 restaurants on May 24, 1947, shall be counted in the quota
15 limitation contained in subsection (1). Any license issued
16 for any hotel, motel, or motor court under the provisions of
17 this law shall be issued only to the owner of the hotel,
18 motel, or motor court or, in the event the hotel, motel, or
19 motor court is leased, to the lessee of the hotel, motel, or
20 motor court; and the license shall remain in the name of the
21 owner or lessee so long as the license is in existence. Any
22 special license now in existence heretofore issued under the
23 provisions of this law cannot be renewed except in the name of
24 the owner of the hotel, motel, motor court, or restaurant or,
25 in the event the hotel, motel, motor court, or restaurant is
26 leased, in the name of the lessee of the hotel, motel, motor
27 court, or restaurant in which the license is located and must
28 remain in the name of the owner or lessee so long as the
29 license is in existence. Any license issued under this
30 section shall be marked "Special," and nothing herein provided
31 shall limit, restrict, or prevent the issuance of a special

1 license for any restaurant or motel which shall hereafter meet
2 the requirements of the law existing immediately prior to the
3 effective date of this act, if construction of such restaurant
4 has commenced prior to the effective date of this act and is
5 completed within 30 days thereafter, or if an application is
6 on file for such special license at the time this act takes
7 effect; and any such licenses issued under this proviso may be
8 annually renewed as now provided by law. Nothing herein
9 prevents an application for transfer of a license to a bona
10 fide purchaser of any hotel, motel, motor court, or restaurant
11 by the purchaser of such facility or the transfer of such
12 license pursuant to law.

13 Section 6. Paragraph (k) is added to subsection (1) of
14 section 561.29, Florida Statutes, to read:

15 561.29 Revocation and suspension of license; power to
16 subpoena.--

17 (1) The division is given full power and authority to
18 revoke or suspend the license of any person holding a license
19 under the Beverage Law, when it is determined or found by the
20 division upon sufficient cause appearing of:

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

24 Section 7. Present subsection (5) of section 561.32,
25 Florida Statutes, is renumbered as subsection (6) and amended,
26 and a new subsection (5) is added to that section, to read:

27 561.32 Transfer of licenses; change of officers or
28 directors; transfer of interest.--

29 (5)(a) Notwithstanding any other provision of law,
30 except as provided in paragraph (b), any license issued after
31 October 1, 2000, under s. 561.20(1) shall not be transferable

1 in any manner either directly or indirectly, including by any
2 change in stock, partnership shares, or other form of
3 ownership of any entity holding the license, except by probate
4 or guardianship proceedings. Any attempted assignment, sale,
5 or transfer of interest in such license either directly or
6 indirectly in violation of this provision is declared void,
7 and the license shall be deemed abandoned and shall revert to
8 the state to be issued in the manner provided by law for
9 issuance of new licenses.

10 (b) A license issued after October 1, 2000, under s.
11 561.20(1) may be transferred as provided by law only upon
12 payment to the division of a transfer fee in an amount equal
13 to fifty times the annual license fee specified in s.
14 565.02(1)(b)-(f) in the county in which the license is valid.
15 However, if the county is only authorized for the issuance of
16 a liquor license for package sales only, the transfer fee
17 shall be in an amount equal to fifty times the annual license
18 fee specified in s. 565.02(1)(a). The transfer fee provided
19 for in this paragraph shall be in addition to any other
20 transfer fee provided by paragraph (3)(a) of this section.

21 (6)(5) The division shall waive the transfer fee and
22 the delinquent penalties, but not the license renewal fee,
23 when the transfer of an interest in an alcoholic beverage
24 license occurs by operation of law because of a death,
25 judicial proceedings, court appointment of a fiduciary,
26 foreclosure or forced judicial sale, bankruptcy proceedings,
27 or seizure of a license by a government agency.

28 Section 8. Section 565.05, Florida Statutes, is
29 amended to read:

30 565.05 Purchase of distilled spirits by licensed
31 clubs; size of individual containers.--It is unlawful for any

1 person holding a license as a club for the sale of distilled
2 spirits to purchase any of said distilled spirits in
3 individual containers larger than 1.75 liters or 59.18 ounces,
4 or smaller than 0.50 liter or 16.9 ounces, except for golf
5 clubs licensed pursuant to s. 561.20(7)(b), which may purchase
6 50 milliliter or 1.7 ounce containers.

7 Section 9. Section 565.06, Florida Statutes, is
8 amended to read:

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

16 Section 10. Section 561.181, Florida Statutes, is
17 amended to read:

18 561.181 Temporary initial licenses.--

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

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

29 1. If the entity holding the temporary initial license
30 is also the holder of a beverage license authorizing the
31

1 purchase of the same type of alcoholic beverages as is
2 authorized under the temporary license.

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

5 ~~(2) The temporary initial license shall be valid until~~
6 ~~the application is denied or until 14 days after the~~
7 ~~application is approved.~~

8 (2)(3) A temporary initial license shall expire and
9 shall not be continued or extended beyond the date the
10 division denies the application for license, beyond 14 days
11 after the date the division approves the application for
12 license, or beyond the date the applicant pays the license fee
13 for and the division issues the license applied for, ~~or beyond~~
14 ~~the date the temporary initial license otherwise expires by~~
15 ~~law, whichever date occurs first. If the department issues a~~
16 ~~notice of intent to deny the license application for failure~~
17 ~~of the applicant to disclose the information required by s.~~
18 ~~561.15(2) or (4), the initial temporary license expires and~~
19 ~~shall not be extended during any proceeding for administrative~~
20 ~~or judicial review pursuant to chapter 120.~~

21 (3)(4) Each applicant seeking a temporary initial
22 license shall pay to the division for such license a fee equal
23 to one-fourth of the annual license fee for the type and
24 series of license being applied for or \$100, whichever is
25 greater, which fee shall be deposited into the General Revenue
26 Fund.

27 Section 11. Section 561.331, Florida Statutes, is
28 amended to read:

29 561.331 Temporary license upon application for
30 transfer, change of location, or change of type or series.--

31

1 (1) Upon the filing of a properly completed
2 application for transfer pursuant to s. 561.32, which
3 application does not on its face disclose any reason for
4 denying an alcoholic beverage license, by any purchaser of a
5 business which possesses a beverage license of any type or
6 series, the purchaser of such business and the applicant for
7 transfer are entitled as a matter of right to receive a
8 temporary beverage license of the same type and series as that
9 held by the seller of such business. The temporary license
10 will be valid for all purposes under the Beverage Law until
11 the application is denied or until 14 days after the
12 application is approved. Such temporary beverage license shall
13 be issued by the district supervisor of the district in which
14 the application for transfer is made upon the payment of a fee
15 of \$100. A purchaser operating under the provisions of this
16 subsection is subject to the same rights, privileges, duties,
17 and limitations of a beverage licensee as are provided by law,
18 except that purchases of alcoholic beverages during the term
19 of such temporary license shall be for cash only. However,
20 such cash-only restriction does not apply if the entity
21 holding a temporary license pursuant to this section purchases
22 alcoholic beverages as part of a single-transaction
23 cooperative purchase placed by a pool buying agent or if such
24 entity is also the holder of a state beverage license
25 authorizing the purchase of the same type of alcoholic
26 beverages as authorized under the temporary license.

27 (2) Upon the filing of an application for change of
28 location pursuant to s. 561.33 by any qualified licensee who
29 possesses a beverage license of any type or series, which
30 application does not on its face disclose any reason for
31 denying an alcoholic beverage license, the licensee is

1 entitled as a matter of right to receive a temporary beverage
2 license of the same series as that license held by the
3 licensee to be valid for all purposes under the Beverage Law
4 until the application is denied or until 14 days after the
5 application is approved. Such temporary license shall be
6 issued by the district supervisor of the district in which the
7 application for change of location is made without the payment
8 of any further fee or tax. A licensee operating under the
9 provisions of this subsection is subject to the same rights,
10 privileges, duties, and limitations of a beverage licensee as
11 are provided by law.

12 (3) Upon the filing of a properly completed
13 application to change the type or series of a beverage license
14 by any qualified licensee having a beverage license of any
15 type or series, which application does not on its face
16 disclose any reason for denying an alcoholic beverage license,
17 the licensee is entitled as a matter of right to receive a
18 temporary beverage license of the type or series applied for,
19 which temporary license is valid for all purposes under the
20 Beverage Law until the application is denied or until 14 days
21 after the application is approved. Such temporary license
22 shall be issued by the district supervisor of the district in
23 which the application for change of type or series is made. If
24 the department issues a notice of intent to deny the license
25 application for failure of the applicant to disclose the
26 information required by s. 561.15(2) or (4), the temporary
27 license for transfer, change of location, or change of type of
28 series expires and shall not be extended during any proceeding
29 for administrative or judicial review pursuant to chapter 120.
30 If the fee for the type or series or license applied for is
31 greater than the fee for the license then held by the

1 applicant, the applicant for such temporary license must pay a
2 fee in the amount of \$100 or one-fourth of the difference
3 between the fees, whichever amount is greater. A fee is not
4 required for an application for a temporary license of a type
5 or series for which the fee is the same as or less than the
6 fee for the license then held by the applicant. The holder of
7 a temporary license under this subsection is subject to the
8 same rights, privileges, duties, and limitations of a beverage
9 licensee as are provided by law.

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

14 Section 12. This act shall take effect July 1, 2000.
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31