

By Representative Heyman

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.

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

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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 over 17 years of age, if the alcoholic beverage  
23 is delivered as part of the student's required curriculum at a  
24 postsecondary educational institution that is institutionally  
25 accredited by an agency recognized by the United States  
26 Department of Education and is either licensed or exempt from  
27 licensure by the State Board of Independent Colleges and  
28 Universities or is a public postsecondary education  
29 institution; if the student is enrolled in the college and is  
30 required to taste alcoholic beverages that are provided only  
31 for instructional purposes during classes conducted under the

1 supervision of authorized instructional personnel pursuant to  
2 such a curriculum; if alcoholic beverages are never offered  
3 for consumption or imbibed by such a student and such  
4 alcoholic beverages 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 the college indemnifies the state and  
7 causes each participating student to execute a waiver and  
8 consent in favor of, and indemnifies and holds harmless, the  
9 state.

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

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

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

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

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5 HOUSE SUMMARY

6 Substantively identical to a bill which passed the House  
7 in the 1999 Regular Session.

8 Provides that a provision of law prohibiting the selling,  
9 giving, or serving of alcoholic beverages to persons  
10 under the age of 21 does not apply to a person who gives,  
11 serves or permits to be served alcoholic beverages to a  
12 student who is over 17 years of age, if the alcoholic  
13 beverage is delivered as a part of the student's required  
14 curriculum at a described postsecondary educational  
15 institution. Provides an exemption for the possession of  
16 alcoholic beverages by described underage students. See  
17 bill for details.