

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1130

SPONSOR: Regulated Industries Committee and Senator Cowin

SUBJECT: Alcohol License/Retirement Community

DATE: January 30, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	RI	Favorable/CS
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill authorizes issuance of special alcoholic beverage licenses to any entity that meets specified criteria in operating an entertainment or lodging complex within the commercial district of a retirement community in specified areas of the Town of Lady Lake or the unincorporated area of Sumter County.

II. Present Situation:

Liquor licenses are generally issued pursuant to s. 561.20(1), F.S., which limits the number of licenses in each county to one license per each 7,500 residents within the county. The section provides a number of exceptions to this limitation for specified types of entities that meet specified criteria. It also provides that the quota limitations do not affect any license issued by special act.

III. Effect of Proposed Changes:

This local bill authorizes the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue special alcoholic beverage licenses to any entity operating an entertainment or lodging complex within the commercial district of a retirement community in specified areas of the Town of Lady Lake or the unincorporated area of Sumter County. The entity would have to meet specified criteria, set forth below. The licenses would permit the sale of alcoholic beverages, and the manufacture and sale of malt beverages, for consumption on premises only.

The term “entity operating an entertainment or lodging complex within the commercial district of a retirement community” is defined to mean any entity operating an entertainment or lodging complex that may include one or more restaurants, bars, breweries or brew pubs, clubhouses,

recreation centers, lodging facilities, banquet facilities, special activity tents, or similar structures or meeting areas, or any combination thereof, consisting of any real estate development located within the prescribed area and located within any area in which a restaurant or lounge is a permitted use as defined by the relevant local ordinances and meeting the following criteria:

- A minimum of 15,000 visitors must annually visit the commercial district of the retirement community.
- The complex must provide meeting facilities for at least 250 persons.
- The complex must contain at least two restaurants or lounges having at least 4,000 square feet of service area equipped to serve full-course meals to 250 persons at one time.

The complex, including the use of areas or facilities pursuant to the authorization of a community development district, must be managed, controlled, and operated by a primary business entity under one business name. The complex may include individual business entities that are owned, managed, controlled, and operated independently of the primary business entity. Each individual business must be separately licensed by the Division of Alcoholic Beverages and Tobacco to sell alcohol.

All provisions of the alcoholic beverage laws not inconsistent with the provisions of the bill apply to each license and licensee.

The license does not entitle the licensee to maintain or construct any structure on the premises that is prohibited by the relevant local ordinances or regulations or exempt the licensee from complying with the local ordinances.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Those businesses that can obtain the licenses will benefit.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
