

1 A bill to be entitled
2 An act relating to open house parties; amending
3 s. 856.015, F.S.; revising definitions;
4 prohibiting persons age 18 or older from
5 allowing open house parties at any residence if
6 alcoholic beverages or drugs are possessed or
7 consumed by a minor; providing a penalty;
8 providing an effective date.

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

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12 Section 1. Section 856.015, Florida Statutes, is
13 amended to read:

14 856.015 Open house parties.--

15 (1) Definitions.--As used in this section:

16 (a)~~(b)~~ "Alcoholic beverage" means distilled spirits
17 and any beverage containing 0.5 percent or more alcohol by
18 volume. The percentage of alcohol by volume shall be
19 determined in accordance with the provisions of s.
20 561.01(4)(b).

21 (b)~~(c)~~ "Control" means the authority or ability to
22 regulate, direct, or dominate.

23 (c)~~(d)~~ "Drug" means a controlled substance, as that
24 term is defined in ss. 893.02(4) and 893.03.

25 (d)~~(e)~~ "Minor" means an individual ~~a person~~ not
26 legally permitted by reason of age to possess alcoholic
27 beverages pursuant to chapter 562.

28 (e)~~(f)~~ "Open house party" means a social gathering at
29 a residence.

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1 (f)(a) "Person Adult" means an individual 18 years of
2 age or older ~~a person not legally prohibited by reason of age~~
3 ~~from possessing alcoholic beverages pursuant to chapter 562.~~

4 (g) "Residence" means a home, apartment, condominium,
5 or other dwelling unit.

6 (2) No person adult having control of any residence
7 shall knowingly allow an open house party to take place at
8 said residence if any alcoholic beverage or drug is possessed
9 or consumed at said residence by any minor where the person
10 ~~adult~~ knows that an alcoholic beverage or drug is in the
11 possession of or being consumed by a minor at said residence
12 and where the person adult fails to take reasonable steps to
13 prevent the possession or consumption of the alcoholic
14 beverage or drug.

15 (3) The provisions of this section shall not apply to
16 the use of alcoholic beverages at legally protected religious
17 observances or activities.

18 (4) Any person who violates any of the provisions of
19 subsection (2) commits ~~is guilty of~~ a misdemeanor of the
20 second degree, punishable as provided in s. 775.082 or s.
21 775.083.

22 Section 2. This act shall take effect July 1, 2002.
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