

By Senator Saunders

25-174-02

1 A bill to be entitled
2 An act relating to alcoholic beverages;
3 amending s. 562.11, F.S.; requiring the posting
4 of penalties relating to the purchase of
5 alcoholic beverages by persons under 21 years
6 of age; providing for license revocation or
7 suspension for failure to comply with posting
8 requirements; 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. Subsection (2) of section 562.11, Florida
13 Statutes, is amended to read:

14 562.11 Selling, giving, or serving alcoholic beverages
15 to person under age 21; misrepresenting or misstating age or
16 age of another to induce licensee to serve alcoholic beverages
17 to person under 21; penalties.--

18 (2) It is unlawful for any person to misrepresent or
19 misstate his or her age or the age of any other person for the
20 purpose of inducing any licensee or his or her agents or
21 employees to sell, give, serve, or deliver any alcoholic
22 beverages to a person under 21 years of age, or for any person
23 under 21 years of age to purchase or attempt to purchase
24 alcoholic beverages.

25 (a) Anyone convicted of violating the provisions of
26 this subsection is guilty of a misdemeanor of the second
27 degree, punishable as provided in s. 775.082 or s. 775.083.

28 (b) Any person under the age of 17 years who violates
29 such provisions shall be within the jurisdiction of the judge
30 of the circuit court and shall be dealt with as a juvenile
31 delinquent according to law.

1 (c) In addition to any other penalty imposed for a
2 violation of this subsection, if a person uses a driver's
3 license or identification card issued by the Department of
4 Highway Safety and Motor Vehicles in violation of this
5 subsection, the court:

6 1. May order the person to participate in public
7 service or a community work project for a period not to exceed
8 40 hours; and

9 2. Shall direct the Department of Highway Safety and
10 Motor Vehicles to withhold issuance of, or suspend or revoke,
11 the person's driver's license or driving privilege, as
12 provided in s. 322.056.

13 (d) The Division of Alcoholic Beverages and Tobacco
14 shall prepare and distribute, to each person licensed to sell
15 alcoholic beverages, posters containing a summary of this
16 subsection. The posters must emphasize all the penalties that
17 may be imposed for a violation of this subsection. Each
18 licensee shall place at least one of the posters in a
19 conspicuous place at each entrance to the licensed premises.
20 The division may suspend or revoke the license of any person
21 who fails to comply with this paragraph.

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

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25 SENATE SUMMARY

26 Directs the Division of Alcoholic Beverages and Tobacco
27 to provide posters summarizing the penalties for the
28 purchase of alcoholic beverages by persons under 21 years
29 of age. Provides for the suspension or revocation of a
30 license for failure to comply with posting requirements
31 at licensed premises.