



HB 0665

2003

1 A bill to be entitled

2 An act relating to the Beverage Law; amending s. 561.32,  
3 F.S., relating to transfer of certain licenses to sell  
4 alcoholic beverages; providing exception to waiver of  
5 certain transfer fees when the transfer is within a  
6 specified period; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Subsection (5) of section 561.32, Florida  
11 Statutes, is amended to read:

12 561.32 Transfer of licenses; change of officers or  
13 directors; transfer of interest.--

14 (4)(a) Except as provided in paragraph (b), a license  
15 issued under s. 561.20(1) shall not be transferable in any  
16 manner, either directly or indirectly, including by any change  
17 in stock, partnership shares, or other form of ownership of any  
18 entity holding the license, except by probate or guardianship  
19 proceedings, for a period of 3 years from the date of original  
20 issuance. Any attempted assignment, sale, or transfer of  
21 interest in such license either directly or indirectly in  
22 violation of this provision is hereby declared void, and the  
23 license shall be deemed abandoned and shall revert to the state  
24 to be issued in the manner provided by law for issuance of new  
25 licenses.

26 (b) A license issued under s. 561.20(1) may be transferred  
27 as provided by law within the 3-year period only upon payment to  
28 the division of a transfer fee in an amount equal to 15 times  
29 the annual license fee specified in s. 565.02(1)(b)-(f) in the  
30 county in which the license is valid. However, if the county is



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31 only authorized for the issuance of liquor licenses for package  
32 sales only, the transfer fee shall be in an amount equal to 15  
33 times the annual license fee specified in s. 565.02(1)(a).  
34 Subsequent to any such transfer, the transferee shall be subject  
35 to the provisions of the beverage laws with respect to the  
36 requirement for initial issuance of a license. Any change of  
37 ownership in any manner, either directly or indirectly,  
38 including any change in stock, partnership shares, or other form  
39 of ownership of any entity holding the license shall be  
40 considered a transfer and subject to the fees set forth in this  
41 paragraph. The transfer fees provided for in this paragraph  
42 shall be in addition to any other transfer fee provided for by  
43 this section. The funds collected pursuant to this paragraph  
44 shall be deposited in the Alcoholic Beverages and Tobacco Trust  
45 Fund and shall be used by the division to defray the costs of  
46 operation.

47 (5) The division shall waive the transfer fee and the  
48 delinquent penalties, but not the license renewal fee, when the  
49 transfer of an interest in an alcoholic beverage license occurs  
50 by operation of law because of a death, judicial proceedings,  
51 court appointment of a fiduciary, foreclosure or forced judicial  
52 sale, bankruptcy proceedings, or seizure of a license by a  
53 government agency. The waiver provided for in this subsection  
54 shall not apply to transfers made within the 3-year period set  
55 forth in subsection (4).

56 Section 2. This act shall take effect upon becoming a law.