

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Henriquez offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 54-55 insert:

5 Section 1. Section 562.61, Florida Statutes, is created to
6 read:

7 562.61 Sale, offer for sale, purchase, or use of alcohol-
8 vaporizing devices prohibited.--

9 (1) For purposes of this section, "alcohol-vaporizing
10 device" means any device, machine, or process which mixes
11 spirits, liquor, or other alcohol products with pure oxygen or
12 other gas to produce a vaporized product for the purpose of
13 consumption by inhalation.

14 (2) No person shall sell, offer for sale, purchase, or use
15 an alcohol-vaporizing device.

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16 (3)(a) Any person who violates this section by selling or
17 offering for sale an alcohol-vaporizing device commits a
18 misdemeanor of the first degree, punishable as provided in s.
19 775.082 or s. 775.083. Any person who violates this section by
20 selling or offering for sale an alcohol-vaporizing device after
21 having been previously convicted of such an offense within the
22 past 5 years commits a felony of the third degree, punishable as
23 provided in s. 775.082 or s. 775.083.

24 (b) Any person who violates this section by purchasing or
25 using an alcohol-vaporizing device shall be subject to a fine of
26 \$250.

27 Section 2. Section 563.09, Florida Statutes, is created to
28 read:

29 563.09 Malt beverage tastings permitted; limitations.--

30 (1) A vendor shall not conduct a malt beverage tasting
31 except as provided in this section.

32 (2) A malt beverage tasting may be conducted:

33 (a) On a licensed premises by a vendor who is licensed to
34 sell alcoholic beverages for consumption on those premises;

35 (b) Within a fully enclosed building under a permanent
36 roof by a vendor who is licensed under s. 563.02(1)(a) or s.
37 564.02(1)(a) with a licensed premises consisting of at least
38 7,000 square feet of publicly accessible floor space; or

39 (c) Within a fully enclosed building under a permanent
40 roof by a vendor who is licensed under s. 565.02(1)(a)
41 regardless of the amount of publicly accessible floor space.

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42 (3) An importer, manufacturer, or distributor shall not
43 assist, by any gifts or loans of money or property of any
44 description or by the giving of any rebates of any kind, a
45 vendor who is licensed under s. 563.02(1)(a), s. 564.02(1)(a),
46 or s. 565.02(1)(a) in the conduct of a malt beverage tasting

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48 ===== T I T L E A M E N D M E N T =====

49 Remove line(s) 7 and insert:
50 An act relating to alcohol and tobacco; creating s. 562.61,
51 F.S.; providing a definition of the term "alcohol-vaporizing
52 device"; prohibiting the sale, offer for sale, purchase, or use
53 of machines or devices which vaporize alcohol; providing
54 penalties; providing a fine; creating s. 563.09, F.S.;
55 permitting certain vendors to conduct malt beverage tastings
56 under certain conditions; amending s.

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