

1                                   A bill to be entitled  
 2           An act relating to alcohol vaporizing devices; creating s.  
 3           562.61, F.S.; providing a definition of the term "alcohol  
 4           vaporizing devices"; prohibiting the sale, purchase, or  
 5           use of machines or devices which vaporize alcohol;  
 6           providing penalties; providing a fine; providing an  
 7           effective date.

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

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 11           Section 1.   Section 562.61, Florida Statutes, is created to  
 12   read:

13           562.61 Sale, purchase, or use of alcohol vaporizing  
 14   devices prohibited.--

15           (1) For purposes of this section, "alcohol vaporizing  
 16   device" means any device, machine, or process which mixes  
 17   spirits, liquor, or other alcohol products with pure oxygen or  
 18   other gas to produce a vaporized product for the purpose of  
 19   consumption by inhalation.

20           (2) No person shall purchase, offer for sale, or use an  
 21   alcohol vaporizing device.

22           (3)(a) Any person who violates the provisions of this  
 23   section by selling or offering for sale an alcohol vaporizing  
 24   device commits a misdemeanor of the first degree, punishable as  
 25   provided in s. 775.082 or s. 775.083. Any person who violates  
 26   the provisions of this section by selling or offering for sale  
 27   an alcohol vaporizing device after having been previously  
 28   convicted of such an offense within the past 5 years commits a

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29 felony of the third degree, punishable as provided in s. 775.082  
30 or s. 775.083.

31 (b) Any person who violates this section by purchasing or  
32 using an alcohol vaporizing device shall be subject to a fine of  
33 \$250.

34 Section 2. This act shall take effect July 1, 2005.