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A bill to be entitled
 An act relating to restaurants licensed to sell wine on
 the premises; creating s. 564.09, F.S.; authorizing a
 restaurant patron to remove a resealed wine container from
 a restaurant for off-premises consumption; amending s.
 316.1936, F.S.; providing that a resealed wine container
 is not an open container for purposes of the prohibition
 against possessing an open container of alcohol in a
 vehicle; providing an effective date.

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

Section 1. Section 564.09, Florida Statutes, is created to
 read:

564.09 Restaurants; off-premises consumption of
wine.--Notwithstanding any other provision of law, a restaurant
licensed to sell wine on the premises may permit a patron to
remove one unsealed bottle of wine for consumption off the
premises if the patron has purchased a full-course meal and
consumed a portion of the bottle of wine with such meal on the
restaurant premises. A partially consumed bottle of wine that is
to be removed from the premises must be securely resealed by the
licensee or its employees before removal from the premises. The
partially consumed bottle of wine shall be placed in a bag or
other container that is secured in such a manner that it is
visibly apparent if the container has been subsequently opened
or tampered with, and a dated receipt for the bottle of wine and
full-course meal shall be provided by the licensee and attached

HB 0719

2005

29 to the container. If transported in a motor vehicle, the
30 container with the resealed bottle of wine must be placed in a
31 locked glove compartment, locked trunk, or other locked
32 nonpassenger area of the motor vehicle.

33 Section 2. Subsection (9) is added to section 316.1936,
34 Florida Statutes, to read:

35 316.1936 Possession of open containers of alcoholic
36 beverages in vehicles prohibited; penalties.--

37 (9) A bottle of wine that has been resealed pursuant to s.
38 564.09 is not an open container under the provisions of this
39 section.

40 Section 3. This act shall take effect July 1, 2005.