

A bill to be entitled

An act relating to driver's licenses; amending s. 562.11, F.S.; providing an additional penalty for providing alcoholic beverages to a person under the age of 21; creating s. 322.057, F.S.; requiring a court to order the Department of Highway Safety and Motor Vehicles to withhold to issuance of, or suspend or revoke, the driver's license of certain persons who provide alcoholic beverages to persons under the age of 21; providing for exceptions; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 562.11, Florida Statutes, is amended to read:

562.11 Selling, giving, or serving alcoholic beverages to person under age 21; providing a proper name; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.--

(1)(a)1. It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit a person under 21 years of age to consume such beverages on the licensed premises. A person who violates this subparagraph commits ~~Anyone convicted of violation of the provisions hereof is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

2. In addition to any other penalty imposed for a

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29 violation of subparagraph 1., the court shall order the  
30 Department of Highway Safety and Motor Vehicles to withhold the  
31 issuance of, or suspend or revoke, the driver's license or  
32 driving privilege, as provided in s. 322.057, of any person  
33 other than a licensee or an employee or agent of a licensee who  
34 violates subparagraph 1.

35 Section 2. Section 322.057, Florida Statutes, is created  
36 to read:

37 322.057 Mandatory revocation or suspension of driver's  
38 license for certain persons who provide alcohol to persons under  
39 21 years of age.--

40 (1) Notwithstanding s. 322.28, the court shall order the  
41 department to withhold the issuance of, or suspend or revoke,  
42 the driver's license of a person 21 years or age or older, other  
43 than a licensee under chapter 561 or an employee or agent of  
44 such licensee, who is found guilty of a violation of s.  
45 562.11(1)(a) for not less than 3 months or more than 6 months  
46 for a violation and 1 year for any subsequent violation.

47 (2) The court may direct the department to issue a  
48 driver's license restricted to business or employment purposes  
49 only, as provided in s. 322.271, to a person who is otherwise  
50 qualified for a license.

51 Section 3. This act shall take effect July 1, 2006.