

CHAMBER ACTION

1 The Transportation Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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18 Section 1. Paragraph (a) of subsection (1) of section
19 562.11, Florida Statutes, is amended to read:

20 562.11 Selling, giving, or serving alcoholic beverages to
21 person under age 21; providing a proper name; misrepresenting or
22 misstating age or age of another to induce licensee to serve
23 alcoholic beverages to person under 21; penalties.--

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24 (1) (a) 1. It is unlawful for any person to sell, give,
25 serve, or permit to be served alcoholic beverages to a person
26 under 21 years of age or to permit a person under 21 years of
27 age to consume such beverages on the licensed premises. A person
28 who violates this subparagraph commits ~~Anyone convicted of~~
29 ~~violation of the provisions hereof is guilty of~~ a misdemeanor of
30 the second degree, punishable as provided in s. 775.082 or s.
31 775.083.

32 2. In addition to any other penalty imposed for a
33 violation of subparagraph 1., the court shall order the
34 Department of Highway Safety and Motor Vehicles to withhold the
35 issuance of, or suspend or revoke, the driver's license or
36 driving privilege, as provided in s. 322.057, of any person
37 other than a licensee or an employee or agent of a licensee who
38 violates subparagraph 1.

39 Section 2. Section 322.057, Florida Statutes, is created
40 to read:

41 322.057 Mandatory revocation or suspension of driver's
42 license for certain persons who provide alcohol to persons under
43 21 years of age.--

44 (1) Notwithstanding s. 322.28, the court shall order the
45 department to withhold the issuance of, or suspend or revoke,
46 the driver's license of a person 21 years of age or older, other
47 than a licensee under chapter 561 or an employee or agent of
48 such licensee, who is found guilty of a violation of s.
49 562.11(1) (a) for not less than 3 months or more than 6 months
50 for a violation and 1 year for any subsequent violation.

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

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