

By Senator Haridopolos

26-892-06

See CS/HB 95

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

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

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

14           562.61 Sale, offer for sale, purchase, or use of  
15 alcohol vaporizing devices prohibited.--

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

21           (2) A person may not sell, offer for sale, purchase,  
22 or use an alcohol vaporizing device.

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

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

4           Section 2. This act shall take effect July 1, 2006.  
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