

Bill No. SB 1322

Barcode 253992

CHAMBER ACTION

Senate

House

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11 The Committee on Regulated Industries (King) recommended the  
12 following amendment:

14 **Senate Amendment**

15 Delete everything after the enacting clause

17 and insert:

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  
21 to person under age 21; providing a proper name;  
22 misrepresenting or misstating age or age of another to induce  
23 licensee to serve alcoholic beverages to person under 21;  
24 penalties.--

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

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1 775.082 or s. 775.083.

2           2. In addition to any other penalty imposed for a  
3 violation of subparagraph 1., the court shall order the  
4 Department of Highway Safety and Motor Vehicles to withhold  
5 the issuance of, or suspend or revoke, the driver's license or  
6 driving privilege, as provided in s. 322.057, of any person  
7 who violates subparagraph 1. This subparagraph does not apply  
8 to a licensee who violates subparagraph 1. while acting within  
9 the scope of his or her license or an employee or agent of a  
10 licensee who violates subparagraph 1. while engaged within the  
11 scope of his or her employment or agency.

12           Section 2. Section 322.057 , is created to read:

13           322.057 Mandatory revocation or suspension of driver's  
14 license for certain persons who provide alcohol to persons  
15 under 21 years of age.--

16           (1) Notwithstanding s. 322.28, the court shall order  
17 the department to withhold the issuance of, or suspend or  
18 revoke, the driver's license of a person who is found guilty  
19 of a violation of s. 562.11(1)(a) for not less than 3 months  
20 or more than 6 months for a first violation and for 1 year for  
21 any subsequent violation. This subsection does not apply to a  
22 licensee who violates s. 562.11(1)(a) while acting within the  
23 scope of his or her license or an employee or agent of a  
24 licensee who violates s. 562.11(1)(a) while engaged within the  
25 scope of his or her employment or agency.

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

30           Section 3. This act shall take effect October 1, 2006.

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