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2 An act relating to driver's licenses; amending
3 s. 562.11, F.S.; providing an additional
4 penalty for providing alcoholic beverages to a
5 person under the age of 21; creating s.
6 322.057, F.S.; authorizing a court to withhold
7 issuance of, or suspend or revoke, the driver's
8 license of certain persons who provide
9 alcoholic beverages to persons under the age of
10 21; providing an effective date.

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

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14 Section 1. Paragraph (a) of subsection (1) of section
15 562.11, Florida Statutes, is amended to read:

16 562.11 Selling, giving, or serving alcoholic beverages
17 to person under age 21; providing a proper name;
18 misrepresenting or misstating age or age of another to induce
19 licensee to serve alcoholic beverages to person under 21;
20 penalties.--

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

29 2. In addition to any other penalty imposed for a
30 violation of subparagraph 1., the court may order the
31 Department of Highway Safety and Motor Vehicles to withhold

1 the issuance of, or suspend or revoke, the driver's license or
2 driving privilege, as provided in s. 322.057, of any person
3 who violates subparagraph 1. This subparagraph does not apply
4 to a licensee, as defined in s. 561.01, who violates
5 subparagraph 1. while acting within the scope of his or her
6 license or an employee or agent of a licensee, as defined in
7 s. 561.01, who violates subparagraph 1. while engaged within
8 the scope of his or her employment or agency.

9 Section 2. Section 322.057, Florida Statutes, is
10 created to read:

11 322.057 Discretionary revocation or suspension of
12 driver's license for certain persons who provide alcohol to
13 persons under 21 years of age.--

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

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

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

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