

Bill No. CS for SB 1536

Barcode 800854

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Floor: WD/2R
05/03/2006 05:12 PM

.
. .
. .
. .
. .
. .

Senator Haridopolos moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 29, through
page 2, line 30, delete those lines

and insert:

Section 1. Subsection (5) of section 386.203, Florida Statutes, is amended, present subsections (7), (8), (9), (10), (12), and (13) are redesignated as subsections (8), (9), (10), (11), (13), and (14), respectively, present subsection (11) of that section is redesignated as subsection (12) and amended, and a new subsection (7) is added to that section, to read:

386.203 Definitions.--As used in this part:

(5) "Enclosed indoor workplace" means any place where one or more persons engages in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, jalousies, doors, or the like.

Bill No. CS for SB 1536

Barcode 800854

1 (a) A place is "predominantly" bounded by physical
2 barriers during any time when both of the following conditions
3 exist:

4 1.(a) It is more than 50 percent covered from above by
5 a physical barrier that excludes rain, and

6 2.(b) More than 50 percent of the combined surface
7 area of its sides is covered by closed physical barriers. In
8 calculating the percentage of side surface area covered by
9 closed physical barriers, all solid surfaces that block air
10 flow, except railings, must be considered as closed physical
11 barriers. This section applies to all such enclosed indoor
12 workplaces and enclosed parts thereof without regard to
13 whether work is occurring at any given time.

14 (b)(c) The term does not include any facility owned or
15 leased by and used exclusively for noncommercial activities
16 performed by the members and guests of a membership
17 association, including social gatherings, meetings, dining,
18 and dances, if no person or persons are engaged in work as
19 defined in subsection(13) ~~(12)~~.

20 (7) "Person" has the same meaning as in s. 1.01(3).

21 (12)(11) "Stand-alone bar" means any licensed premises
22 devoted during any time of operation predominantly or totally
23 to serving alcoholic beverages, intoxicating beverages, or
24 intoxicating liquors, or any combination thereof, for
25 consumption on the licensed premises; in which the serving of
26 food, if any, is merely incidental to the consumption of any
27 such beverage; and the licensed premises is not located
28 within, and does not share any common entryway or common
29 indoor area with, any other enclosed indoor workplace,
30 including any business for which the sale of food or any other
31 product or service is more than an incidental source of gross

Bill No. CS for SB 1536

Barcode 800854

1 revenue. A place of business constitutes a stand-alone bar in
 2 which the service of food is merely incidental in accordance
 3 with this subsection if the licensed premises derives no more
 4 than 10 percent of its gross revenue from the sale of food
 5 consumed on the licensed premises. However, a place of
 6 business remains a stand-alone bar in which the service of
 7 food is merely incidental if the licensed premises derives no
 8 more than 20 percent of its gross revenues from the sale of
 9 food consumed on the licensed premises, the premises is
 10 licensed as a vendor as of July 1, 2005, and the licensed
 11 premises is located in a building that is individually listed
 12 in the National Register of Historic Places as defined in s.
 13 267.021. An application to individually list the building in
 14 the National Register of Historic Places must have been
 15 submitted to the Department of State before October 1, 2006.

16
17

18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 On page 1, lines 3 and 4, delete those lines

21

22 and insert:

23 amending s. 386.203, F.S.; defining the term
 24 "purpose" and redefining the term "stand-alone
 25 bar" for purposes of the Florida Clean

26
27
28
29
30
31