



1           (b) Each employee serving as a law enforcement officer  
2 for the division must meet the qualifications for employment  
3 or appointment as a law enforcement officer set forth under s.  
4 943.13 and must be certified as a law enforcement officer by  
5 the Department of Law Enforcement under of chapter 943. Upon  
6 certification, each law enforcement officer is subject to and  
7 has the same authority as provided for law enforcement  
8 officers generally in chapter 901 and has statewide  
9 jurisdiction. Each officer also has arrest authority as  
10 provided for state law enforcement officers in s. 901.15. Each  
11 officer possesses the full law enforcement powers granted to  
12 other peace officers of this state, including the authority to  
13 make arrests, carry firearms, serve court process, and seize  
14 contraband and the proceeds of illegal activities. All  
15 employees certified under chapter 943 as law enforcement  
16 officers shall have the primary responsibility to felony  
17 ~~arrest powers under s. 901.15(10) and shall have all the~~  
18 ~~powers of deputy sheriffs to:~~  
19           ~~1-~~ investigate, enforce, and prosecute, throughout the  
20 state, violations and violators of:  
21           ~~1.a-~~ Parts I and II of chapter 210; part VII of  
22 chapter 559; and chapters 561-569; and the rules adopted  
23 ~~promulgated~~ thereunder, as well as other state laws that which  
24 the division, all state law enforcement officers, or beverage  
25 enforcement agents are specifically authorized to enforce.  
26           ~~2.b-~~ All other state laws, provided that the employee  
27 exercises the powers of a deputy sheriff, only after  
28 consultation or ~~and in~~ coordination with the appropriate local  
29 sheriff's office, ~~and only if the violation could result in an~~  
30 ~~administrative proceeding against a license or permit issued~~  
31 ~~by the division.~~

1           ~~2. Enforce all criminal laws of the state within~~  
2 ~~specified jurisdictions when the division is a party to a~~  
3 ~~written mutual aid agreement with a state agency, sheriff, or~~  
4 ~~municipal police department,~~ or when the division participates  
5 in the Florida Mutual Aid Plan during a declared state  
6 emergency.

7           Section 2. Section 561.422, Florida Statutes, is  
8 amended to read:

9           561.422 Nonprofit civic organizations; temporary  
10 permits.--Upon the filing of an application, presentation of a  
11 local building and zoning permit, and payment of a fee of \$25  
12 per permit, the director of the division may issue a permit  
13 authorizing a bona fide nonprofit civic organization to sell  
14 alcoholic beverages for consumption on the premises only, for  
15 a period not to exceed 3 days, subject to any state law or  
16 municipal or county ordinance regulating the time for selling  
17 such beverages. All net profits from sales of alcoholic  
18 beverages collected during the permit period must be retained  
19 by the nonprofit civic organization. Any such civic  
20 organization may be issued only three such permits per  
21 calendar year. The director of the division may issue a permit  
22 to such civic organization more than three times per calendar  
23 year, but not more than 15 times per calendar year, upon the  
24 approval of the incorporated municipality, town, or board of  
25 county commissioners having jurisdiction over the location of  
26 the premises. Notwithstanding other provisions of the Beverage  
27 Law, any civic organization licensed under this section may  
28 purchase alcoholic beverages from a distributor or vendor  
29 licensed under the Beverage Law.

30           Section 3. This act shall take effect July 1, 2006.  
31

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

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 2412

The CS restores current law that provides that all authorized employees of the division of Alcoholic Beverage and Tobacco shall have the right to inspect premises licensed by the division.

The CS provides that the primary responsibility of the division's law enforcement authority is to enforce the alcoholic beverage and tobacco laws in parts I and II of ch. 210, F.S., part VII of ch. 559, and chs. 561-569, F.S., and the rules adopted under these provisions. They would also have primary responsibility to enforce other state laws that the division, all state law enforcement officers, or beverage enforcement agents are specifically authorized to enforce. It provides that their primary responsibility would include the powers of a deputy sheriff, but only after consultation or in coordination with the appropriate local sheriff's office or when the division participates in the Florida Mutual Aid Plan during a declared state emergency. The bill amends s. 561.422, F.S., to authorize the director of the division to issue a temporary alcoholic beverage permit to nonprofit civic organization more than three times per calendar year, but not more than 15 times per calendar year.