

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to alcoholic beverages; creating s.  
7 562.61, F.S.; providing a definition of the term "alcohol  
8 vaporizing device"; prohibiting the sale, offer for sale,  
9 purchase, or use of machines or devices which vaporize  
10 alcohol; providing penalties; providing a fine; providing  
11 an effective date.

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

14  
15 Section 1. Section 562.61, Florida Statutes, is created to  
16 read:

17 562.61 Sale, offer for sale, purchase, or use of alcohol  
18 vaporizing devices prohibited.--

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

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

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

34 | (b) Any person who violates this section by purchasing or  
35 | using an alcohol vaporizing device shall be subject to a fine of  
36 | \$250.

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