

1                                   A bill to be entitled  
 2           An act relating to designated drivers; amending s. 562.51,  
 3           F.S.; prohibiting a licensed retail alcoholic beverage  
 4           establishment open to the public from denying service to a  
 5           designated driver; providing that such prohibition does  
 6           not excuse an establishment from complying with certain  
 7           municipal and county ordinances; providing an effective  
 8           date.

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

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 12           Section 1.   Section 562.51, Florida Statutes, is amended to  
 13   read:

14           562.51   Retail alcoholic beverage establishments; rights as  
 15   private enterprise.--A licensed retail alcoholic beverage  
 16   establishment open to the public is a private enterprise and:

17           (1)   May refuse service to any person who is objectionable  
 18   or undesirable to the licensee, but such refusal of service  
 19   shall not be on the basis of race, creed, color, religion, sex,  
 20   national origin, marital status, or physical handicap.

21           (2) (a)   May not refuse service to any person solely because  
 22   the person is not purchasing alcoholic beverages if that person  
 23   is the designated driver for one or more persons who are  
 24   purchasing alcoholic beverages at the establishment.

25           (b)   This subsection does not excuse a retail alcoholic  
 26   beverage establishment from complying with any applicable  
 27   municipal or county ordinance regulating the presence of persons  
 28   under 21 years of age on the premises of any such establishment.

CS/HB 169

2007

29 | Section 2. This act shall take effect October 1, 2007. |