

By Senator Posey

24-406-07

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

A bill to be entitled

An act relating to selling, giving, or serving alcoholic beverages to underage persons; amending s. 562.11, F.S.; revising the penalty for selling, giving, or serving alcoholic beverages to a person under age 21; providing an enhanced penalty for a second or subsequent violation within a specified period; providing an effective date.

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

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

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

(1)(a)1. It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit a person under 21 years of age to consume such beverages on the licensed premises. A person who violates this subparagraph commits a misdemeanor of the first ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083. Any person who violates this subparagraph a second or subsequent time within 1 year after a prior violation that resulted in a conviction for a violation of this subparagraph commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

1 2. In addition to any other penalty imposed for a
2 violation of subparagraph 1., the court may order the
3 Department of Highway Safety and Motor Vehicles to withhold
4 the issuance of, or suspend or revoke, the driver's license or
5 driving privilege, as provided in s. 322.057, of any person
6 who violates subparagraph 1. This subparagraph does not apply
7 to a licensee, as defined in s. 561.01, who violates
8 subparagraph 1. while acting within the scope of his or her
9 license or an employee or agent of a licensee, as defined in
10 s. 561.01, who violates subparagraph 1. while engaged within
11 the scope of his or her employment or agency.

12 Section 2. This act shall take effect July 1, 2007.

13
14 *****

15 SENATE SUMMARY

16 Modifies the penalty for selling, giving, or serving
17 alcoholic beverages to a person under age 21.

18
19
20
21
22
23
24
25
26
27
28
29
30
31