

By Senator Posey

24-407-07

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A bill to be entitled

An act relating to an exemption from license suspension or revocation under the Beverage Law; amending s. 561.706, F.S.; clarifying a vendor's defense to suspension or revocation of a license following an employee's illegal sale or service of an alcoholic beverage; providing an effective date.

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

Section 1. Subsection (1) of section 561.706, Florida Statutes, is amended to read:

561.706 Exemption from license suspension or revocation; mitigation for certain beverage law violations; records of arrests.--

(1) The license of a vendor qualified as a responsible vendor under this act may not be suspended or revoked for an employee's illegal sale or service of an alcoholic beverage to a person who is not of lawful drinking age or for an employee's engaging in or permitting others to engage in the illegal sale, use of, or trafficking in controlled substances, if the employee had completed the applicable training prescribed by this act prior to committing such violation, unless the vendor had knowledge of the violation, should have known about such violation, or participated in or committed such violation. ~~A No~~ vendor may not use as a defense to suspension or revocation the fact that she or he was absent from the licensed premises at the time a violation of the Beverage Law occurred if the violations are flagrant, persistent, repeated, or recurring. A violation is flagrant,

1 persistent, or recurring if the illegal sale or service occurs
2 two times or more within a 60-day period or three times or
3 more within a 1-year period.

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

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7 SENATE SUMMARY

8 Clarifies a vendor's defense to suspension or revocation
9 of a license following a violation of the Beverage Law.

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