

1                                   A bill to be entitled  
 2           An act relating to selling, giving, or serving alcoholic  
 3           beverages to persons under 21 years of age; amending s.  
 4           562.11, F.S.; increasing the penalty imposed for a second  
 5           or subsequent offense of selling, giving, or serving  
 6           alcoholic beverages to a person under 21 years of age  
 7           within a specified period following the prior offense;  
 8           providing an effective date.

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

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12           Section 1. Paragraph (a) of subsection (1) of section  
 13           562.11, Florida Statutes, is amended to read:

14           562.11 Selling, giving, or serving alcoholic beverages to  
 15           person under age 21; providing a proper name; misrepresenting or  
 16           misstating age or age of another to induce licensee to serve  
 17           alcoholic beverages to person under 21; penalties.--

18           (1)(a)1. It is unlawful for any person to sell, give,  
 19           serve, or permit to be served alcoholic beverages to a person  
 20           under 21 years of age or to permit a person under 21 years of  
 21           age to consume such beverages on the licensed premises. A person  
 22           who violates this subparagraph commits a misdemeanor of the  
 23           second degree, punishable as provided in s. 775.082 or s.  
 24           775.083. A person who violates this subparagraph a second or  
 25           subsequent time within 1 year after the first violation commits  
 26           a misdemeanor of the first degree, punishable as provided in s.  
 27           775.082 or s. 775.083.

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28           2. In addition to any other penalty imposed for a  
29 violation of subparagraph 1., the court may order the Department  
30 of Highway Safety and Motor Vehicles to withhold the issuance  
31 of, or suspend or revoke, the driver's license or driving  
32 privilege, as provided in s. 322.057, of any person who violates  
33 subparagraph 1. This subparagraph does not apply to a licensee,  
34 as defined in s. 561.01, who violates subparagraph 1. while  
35 acting within the scope of his or her license or an employee or  
36 agent of a licensee, as defined in s. 561.01, who violates  
37 subparagraph 1. while engaged within the scope of his or her  
38 employment or agency.

39           Section 2. This act shall take effect July 1, 2008.