

By Senator Posey

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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 age
21 to consume such beverages on the licensed premises. A person who
22 violates this subparagraph commits a misdemeanor of the second
23 degree, punishable as provided in s. 775.082 or s. 775.083. A
24 person who violates this subparagraph a second or subsequent time
25 within 1 year after the first violation commits a misdemeanor of
26 the first degree, punishable as provided in s. 775.082 or s.
27 775.083.

28 2. In addition to any other penalty imposed for a violation
29 of subparagraph 1., the court may order the Department of Highway

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30 Safety and Motor Vehicles to withhold the issuance of, or suspend
31 or revoke, the driver's license or driving privilege, as provided
32 in s. 322.057, of any person who violates subparagraph 1. This
33 subparagraph does not apply to a licensee, as defined in s.
34 561.01, who violates subparagraph 1. while acting within the
35 scope of his or her license or an employee or agent of a
36 licensee, as defined in s. 561.01, who violates subparagraph 1.
37 while engaged within the scope of his or her employment or
38 agency.

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