

By Senator Altman

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1 A bill to be entitled
2 An act relating to open house parties; amending s.
3 856.015, F.S.; providing that a person who violates
4 the open house party statute a second or subsequent
5 time commits a misdemeanor of the first degree;
6 providing that a person commits a misdemeanor of the
7 first degree if the violation of the open house party
8 statute results in serious bodily injury or death;
9 providing criminal penalties; providing an effective
10 date.

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

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14 Section 1. Subsections (2) and (4) of section 856.015,
15 Florida Statutes, are amended, and subsection (5) is added to
16 that section, to read:

17 856.015 Open house parties.—

18 (2) A ~~No~~ person having control of any residence may not
19 ~~shall~~ allow an open house party to take place at the said
20 residence if any alcoholic beverage or drug is possessed or
21 consumed at the said residence by any minor where the person
22 knows that an alcoholic beverage or drug is in the possession of
23 or being consumed by a minor at the said residence and where the
24 person fails to take reasonable steps to prevent the possession
25 or consumption of the alcoholic beverage or drug.

26 (4) Any person who violates any of the provisions of
27 subsection (2) commits a misdemeanor of the second degree,
28 punishable as provided in s. 775.082 or s. 775.083. A person who
29 violates subsection (2) a second or subsequent time commits a

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30 misdemeanor of the first degree, punishable as provided in s.
31 775.082 or s. 775.083.

32 (5) If a violation of subsection (2) results in serious
33 bodily injury, as defined in s. 316.1933, or death, it is a
34 misdemeanor of the first degree, punishable as provided in s.
35 775.082 or s. 775.083.

36 Section 2. This act shall take effect July 1, 2010.