

By the Committee on Criminal Justice; and Senators Altman and Fasano

591-04391-10

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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 causes serious bodily injury or death of a
9 minor; providing criminal penalties; providing an
10 effective 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) causes serious bodily
33 injury, as defined in s. 316.1933, or death of the minor, it is
34 a 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.