

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 the
4 open house party statute a second or subsequent time
5 commits a misdemeanor of the first degree; providing that
6 a person commits a misdemeanor of the first degree if the
7 violation of the open house party statute causes serious
8 bodily injury or death of a minor; providing criminal
9 penalties; providing an effective date.

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

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

16 856.015 Open house parties.—

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

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

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

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

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