

1                                   A bill to be entitled  
 2           An act relating to alcoholic beverages; creating s.  
 3           562.62, F.S.; prohibiting the sale of alcoholic  
 4           beverages in powdered form or containing more than a  
 5           specified percentage of alcohol by volume; providing  
 6           penalties; providing an exemption for the use of  
 7           powdered alcohol by specified entities for research  
 8           purposes; providing an exemption for the possession of  
 9           powdered alcohol solely for the purpose of  
 10          transportation through this state by specified  
 11          entities; providing that licensed manufacturers are  
 12          not prohibited from manufacturing powdered alcohol in  
 13          this state for specified purposes; providing for  
 14          future legislative review and repeal; providing an  
 15          effective date.

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

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 19           Section 1. Section 562.62, Florida Statutes, is created to  
 20 read:

21           562.62 Sale of powdered alcohol prohibited; maximum  
 22 percentage of alcohol by volume; penalties.-

23           (1) A person may not sell an alcoholic beverage that:

24           (a) Is intended for human consumption and is in powdered  
 25 form; or

26           (b) Contains more than 76 percent alcohol by volume.

27 (2) A person who violates subsection (1) commits a  
 28 misdemeanor of the first degree, punishable as provided in s.  
 29 775.082 or s. 775.083. A person who violates subsection (1)  
 30 after having been previously convicted of such an offense within  
 31 the past 5 years commits a felony of the third degree,  
 32 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

33 (3) This section does not apply to the use of powdered  
 34 alcohol for research purposes by a:

35 (a) Health care provider that operates primarily for the  
 36 purpose of conducting scientific research;

37 (b) State institution;

38 (c) State university or private college or university; or

39 (d) Pharmaceutical or biotechnology company.

40 (4) This section does not apply to the possession of  
 41 powdered alcohol solely for the purpose of transportation  
 42 through this state by a licensed manufacturer or a common  
 43 carrier on behalf of a licensed manufacturer.

44 (5) This section does not prohibit a manufacturer licensed  
 45 under the Beverage Law from manufacturing powdered alcohol in  
 46 this state for distribution and sale outside of the state.

47 (6) This section is repealed July 1, 2016, unless reviewed  
 48 and saved from repeal by the Legislature.

49 Section 2. This act shall take effect July 1, 2015.