

By Senator Margolis

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1 A bill to be entitled
 2 An act relating to alcoholic beverages; creating s.
 3 562.63, F.S.; defining the term "powdered alcohol";
 4 prohibiting the sale, offer for sale, purchase, use,
 5 offer for use, or possession of powdered alcohol;
 6 providing penalties; providing an exemption for the
 7 use of powdered alcohol by specified entities for
 8 research purposes; 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. Section 562.63, Florida Statutes, is created to
 13 read:

14 562.63 Powdered alcohol; prohibited sale, offer for sale,
 15 purchase, use, offer for use, or possession.-

16 (1) As used in this section, the term "powdered alcohol"
 17 means alcohol prepared in a powdered form for either direct use
 18 or consumption after the powder is combined with a liquid.

19 (2) A person may not sell, offer for sale, purchase, use,
 20 offer for use, or possess powdered alcohol.

21 (3) A vendor licensed under s. 565.02(1)(a)-(f) may not
 22 sell or offer for sale powdered alcohol as an alcoholic
 23 beverage.

24 (4) (a) A person who violates this section by selling or
 25 offering for sale powdered alcohol commits a misdemeanor of the
 26 first degree, punishable as provided in s. 775.082 or s.
 27 775.083. A person who violates this section by selling or
 28 offering for sale powdered alcohol after having been previously
 29 convicted of such an offense within the past 5 years commits a

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30 felony of the third degree, punishable as provided in s.
31 775.082, s. 775.083, or s. 775.084.

32 (b) A person who violates this section by purchasing,
33 using, offering for use, or possessing powdered alcohol commits
34 a noncriminal violation, punishable by a fine of \$250.

35 (5) This section does not apply to the use of powdered
36 alcohol for research purposes by a:

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

39 (b) State institution;

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

41 (d) Pharmaceutical or biotechnology company.

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