

By the Committee on Regulated Industries; and Senator Margolis

580-02526-15

2015998c1

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 exemption for the  
9 possession of powdered alcohol solely for the purpose  
10 of transportation through this state by specified  
11 entities; providing an effective date.

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

14  
15 Section 1. Section 562.63, Florida Statutes, is created to  
16 read:

17 562.63 Powdered alcohol; prohibited sale, offer for sale,  
18 purchase, use, offer for use, or possession.—

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

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

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

27 (4) (a) A person who violates this section by selling or  
28 offering for sale powdered alcohol commits a misdemeanor of the  
29 first degree, punishable as provided in s. 775.082 or s.

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30 775.083. A person who violates this section by selling or  
31 offering for sale powdered alcohol after having been previously  
32 convicted of such an offense within the past 5 years commits a  
33 felony of the third degree, punishable as provided in s.  
34 775.082, s. 775.083, or s. 775.084.

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

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

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

42 (b) State institution;

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

44 (d) Pharmaceutical or biotechnology company.

45 (6) This section does not apply to the possession of  
46 powdered alcohol solely for the purpose of transportation  
47 through this state by a licensed manufacturer or a common  
48 carrier on behalf of a licensed manufacturer.

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