

By the Committees on Commerce and Tourism; and Regulated Industries; and Senator Margolis

577-03152-15

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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 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.

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

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 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.

26 (4)(a) A person who violates this section by selling or
 27 offering for sale powdered alcohol commits a misdemeanor of the
 28 first degree, punishable as provided in s. 775.082 or s.
 29 775.083. A person who violates this section by selling or

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

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

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

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

41 (b) State institution;

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

43 (d) Pharmaceutical or biotechnology company.

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

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