

Amendment No. a1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Regulatory Affairs
 2 Committee

3 Representative Rodrigues, R. offered the following:

4
 5 **Amendment to Amendment (788243) by Representative**
 6 **Rodrigues, R.**

7 Remove lines 250-286 of the amendment and insert:

8 (i) Failure of any licensee issued a new or transfer
 9 license after September 30, 1988, under s. 561.20(1) to maintain
 10 the licensed premises in an active manner in which the licensed
 11 premises are open for business to the public for the bona fide
 12 retail sale of authorized alcoholic beverages during regular and
 13 reasonable business hours for at least 8 hours a day for a
 14 period of 210 days or more during any 12-month period commencing
 15 6 months after the acquisition of the license by the licensee.
 16 It is the intent of this act that for purposes of compliance
 17 with this paragraph, a licensee shall operate the licensed

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18 premises in a manner so as to maximize sales and tax revenues
19 thereon; this includes maintaining a reasonable inventory of
20 merchandise, including authorized alcoholic beverages, and the
21 use of good business practices to achieve the intent of this
22 law. Any attempt by a licensee to circumvent the intent of this
23 law shall be grounds for revocation or suspension of the
24 alcoholic beverage license. ~~The division may, upon written
25 request of the licensee, give a written waiver of this
26 requirement for a period not to exceed 12 months in cases where
27 the licensee demonstrates that the licensed premises has been
28 physically destroyed through no fault of the licensee, when the
29 licensee has suffered an incapacitating illness or injury which
30 is likely to be prolonged, or when the licensed premises has
31 been prohibited from making sales as a result of any action of
32 any court of competent jurisdiction. Any waiver given pursuant
33 to this subsection may be continued upon subsequent written
34 request showing that substantial progress has been made toward
35 restoring the licensed premises to a condition suitable for the
36 resumption of sales or toward allowing for a court having
37 jurisdiction over the premises to release said jurisdiction, or
38 that an incapacitating illness or injury continues to exist.
39 However, in no event may the waivers necessitated by any one
40 occurrence cumulatively total more than 24 months. Every A
41 licensee shall notify the division in writing of any period
42 during which his or her license is inactive and place the~~

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43 physical license with the division to be held in an inactive
44 status. For the purpose of calculating compliance with the