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1 A bill to be entitled
2 An act relating to alcoholic beverages and tobacco;
3 amending s. 210.13, F.S.; revising applicability to
4 include other persons who may be subject to a
5 determination of tax on failure to file and return;
6 amending s. 218.32, F.S.; requiring local governmental
7 entities to include revenues derived from the use of
8 temporary alcoholic beverage permits in annual
9 financial reports; amending s. 561.01, F.S.; defining
10 the term "railroad transit station"; amending s.
11 561.20, F.S.; providing that a license must be revoked
12 or a pending application must be denied under certain
13 circumstances; providing that certain licensees or
14 applicants are not eligible to have an interest in a
15 subsequent license under certain circumstances for a
16 specified timeframe; amending s. 561.29, F.S.;
17 requiring the division to grant a one-time written
18 waiver or extension of certain requirements to
19 specified licensees; revising the circumstances under
20 which a licensee may seek and the division may grant a
21 waiver or extension of the requirements; creating s.
22 561.4205, F.S.; requiring an alcoholic beverage
23 distributor to charge a deposit for certain alcoholic
24 beverage sales; providing an inventory and
25 reconciliation process as an accounting alternative
26 for specified vendors; providing an inventory and
27 reconciliation process for malt beverage kegs;
28 amending s. 561.422, F.S.; authorizing the division to
29 issue temporary permits to municipalities and counties

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30 to sell alcoholic beverages for consumption on the
31 premises of an event; authorizing the director of the
32 division to issue more than three permits per calendar
33 year under certain circumstances; providing conditions
34 for such permits; requiring certain municipalities and
35 counties to properly store and secure unconsumed
36 alcoholic beverages; amending s. 563.06, F.S.;
37 revising requirements for certain vendors to be
38 authorized to fill or refill a growler; amending s.
39 565.02, F.S.; authorizing vendors in railroad transit
40 stations to obtain licenses to keep and sell alcoholic
41 beverages; prohibiting a municipality or county from
42 requiring an additional license or levying a tax to
43 sell certain beverages; revising the locations where
44 certain beverages may be sold; providing liquor bottle
45 size restrictions for railroad transit stations;
46 prohibiting the transfer of certain licenses;
47 requiring operators of railroads and sleeping cars to
48 keep separate certain alcoholic beverages; amending s.
49 565.04, F.S.; authorizing a licensed distributor to
50 transport alcoholic beverages through certain premises
51 under specified circumstances; providing an effective
52 date.

53
54 Be It Enacted by the Legislature of the State of Florida:

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56 Section 1. Section 210.13, Florida Statutes, is amended to
57 read:

58 210.13 Determination of tax on failure to file a return.—If

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59 a dealer or other person required to remit the tax under this
60 part fails to file any return required under this part, or
61 having filed an incorrect or insufficient return, fails to file
62 a correct or sufficient return, as the case may require, within
63 10 days after the giving of notice to the dealer by the Division
64 of Alcoholic Beverages and Tobacco that such return or corrected
65 or sufficient return is required, the division shall determine
66 the amount of tax due by such dealer any time within 3 years
67 after the making of the earliest sale included in such
68 determination and give written notice of such determination to
69 such dealer. Such a determination shall finally and irrevocably
70 fix the tax unless the dealer against whom it is assessed shall,
71 within 30 days after the giving of notice of such determination,
72 apply to the division for a hearing. Judicial review shall not
73 be granted unless the amount of tax stated in the decision, with
74 penalties thereon, if any, shall have been first deposited with
75 the division, and an undertaking or bond filed in the court in
76 which such cause may be pending in such amount and with such
77 sureties as the court shall approve, conditioned that if such
78 proceeding be dismissed or the decision of the division
79 confirmed, the applicant for review will pay all costs and
80 charges which may accrue against the applicant in the
81 prosecution of the proceeding. At the option of the applicant,
82 such undertaking or bond may be in an additional sum sufficient
83 to cover the tax, penalties, costs, and charges aforesaid, in
84 which event the applicant shall not be required to pay such tax
85 and penalties precedent to the granting of such review by such
86 court.

87 Section 2. Paragraph (a) of subsection (1) of section

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88 218.32, Florida Statutes, is amended to read:

89 218.32 Annual financial reports; local governmental
90 entities.—

91 (1) (a) Each local governmental entity that is determined to
92 be a reporting entity, as defined by generally accepted
93 accounting principles, and each independent special district as
94 defined in s. 189.012, shall submit to the department a copy of
95 its annual financial report for the previous fiscal year in a
96 format prescribed by the department. The annual financial report
97 must include a list of each local governmental entity included
98 in the report and each local governmental entity that failed to
99 provide financial information as required by paragraph (b). The
100 annual financial report must also include all revenues derived
101 from the use of temporary permits obtained by a reporting entity
102 pursuant to s. 561.422. The chair of the governing body and the
103 chief financial officer of each local governmental entity shall
104 sign the annual financial report submitted pursuant to this
105 subsection attesting to the accuracy of the information included
106 in the report. The county annual financial report must be a
107 single document that covers each county agency.

108 Section 3. Subsection (22) is added to section 561.01,
109 Florida Statutes, to read:

110 561.01 Definitions.—As used in the Beverage Law:

111 (22) "Railroad transit station" means a platform or a
112 terminal facility where passenger trains operating on a guided
113 rail system according to a fixed schedule between two or more
114 cities regularly stop to load and unload passengers or goods.
115 The term includes a passenger waiting lounge and dining, retail,
116 entertainment, or recreational facilities within the licensed

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117 premises owned or leased by the railroad operator or owner.

118 Section 4. Paragraph (a) of subsection (2) of section
119 561.20, Florida Statutes, is amended to read:

120 561.20 Limitation upon number of licenses issued.—

121 (2) (a) The ~~No such~~ limitation of the number of licenses as
122 ~~herein~~ provided in this section does not ~~shall henceforth~~
123 prohibit the issuance of a special license to:

124 1. Any bona fide hotel, motel, or motor court of not fewer
125 than 80 guest rooms in any county having a population of less
126 than 50,000 residents, and of not fewer than 100 guest rooms in
127 any county having a population of 50,000 residents or greater;
128 or any bona fide hotel or motel located in a historic structure,
129 as defined in s. 561.01(21), with fewer than 100 guest rooms
130 which derives at least 51 percent of its gross revenue from the
131 rental of hotel or motel rooms, which is licensed as a public
132 lodging establishment by the Division of Hotels and Restaurants;
133 provided, however, that a bona fide hotel or motel with no fewer
134 than 10 and no more than 25 guest rooms which is a historic
135 structure, as defined in s. 561.01(21), in a municipality that
136 on the effective date of this act has a population, according to
137 the University of Florida's Bureau of Economic and Business
138 Research Estimates of Population for 1998, of no fewer than
139 25,000 and no more than 35,000 residents and that is within a
140 constitutionally chartered county may be issued a special
141 license. This special license shall allow the sale and
142 consumption of alcoholic beverages only on the licensed premises
143 of the hotel or motel. In addition, the hotel or motel must
144 derive at least 60 percent of its gross revenue from the rental
145 of hotel or motel rooms and the sale of food and nonalcoholic

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146 beverages; provided that the provisions of this subparagraph
147 shall supersede local laws requiring a greater number of hotel
148 rooms;

149 2. Any condominium accommodation of which no fewer than 100
150 condominium units are wholly rentable to transients and which is
151 licensed under the provisions of chapter 509, except that the
152 license shall be issued only to the person or corporation which
153 operates the hotel or motel operation and not to the association
154 of condominium owners;

155 3. Any condominium accommodation of which no fewer than 50
156 condominium units are wholly rentable to transients, which is
157 licensed under the provisions of chapter 509, and which is
158 located in any county having home rule under s. 10 or s. 11,
159 Art. VIII of the State Constitution of 1885, as amended, and
160 incorporated by reference in s. 6(e), Art. VIII of the State
161 Constitution, except that the license shall be issued only to
162 the person or corporation which operates the hotel or motel
163 operation and not to the association of condominium owners;

164 4. Any food service establishment that has ~~restaurant~~
165 ~~having~~ 2,500 square feet of service area, is ~~and~~ equipped to
166 serve meals to 150 persons ~~full-course meals at tables~~ at one
167 time, and that derives ~~deriving~~ at least 51 percent of its gross
168 food and beverage revenue from the sale of food and nonalcoholic
169 beverages during the first 60-day operating period and each 12-
170 month operating period thereafter. ~~;~~ ~~However,~~ A food service
171 establishment ~~no restaurant~~ granted a special license on or
172 after January 1, 1958, pursuant to general or special law may
173 not ~~shall~~ operate as a package store and may not sell, ~~nor shall~~
174 intoxicating beverages ~~be sold~~ under such license after the

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175 hours of serving or consumption of food have elapsed. Failure by
176 a licensee to meet the required percentage of food and
177 nonalcoholic beverage gross revenues during the covered
178 operating period shall result in revocation of the license or
179 denial of the pending license application. A licensee whose
180 license is revoked or an applicant whose pending application is
181 denied, or any person required to qualify on the special license
182 application, is ineligible to have any interest in a subsequent
183 application for such a license for a period of 120 days after
184 the date of the final denial or revocation; or

185 5. Any caterer, deriving at least 51 percent of its gross
186 revenue from the sale of food and nonalcoholic beverages,
187 licensed by the Division of Hotels and Restaurants under chapter
188 509. Notwithstanding any other provision of law to the contrary,
189 a licensee under this subparagraph shall sell or serve alcoholic
190 beverages only for consumption on the premises of a catered
191 event at which the licensee is also providing prepared food, and
192 shall prominently display its license at any catered event at
193 which the caterer is selling or serving alcoholic beverages. A
194 licensee under this subparagraph shall purchase all alcoholic
195 beverages it sells or serves at a catered event from a vendor
196 licensed under s. 563.02(1), s. 564.02(1), or licensed under s.
197 565.02(1) subject to the limitation imposed in subsection (1),
198 as appropriate. A licensee under this subparagraph may not store
199 any alcoholic beverages to be sold or served at a catered event.
200 Any alcoholic beverages purchased by a licensee under this
201 subparagraph for a catered event that are not used at that event
202 must remain with the customer; provided that if the vendor
203 accepts unopened alcoholic beverages, the licensee may return

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204 such alcoholic beverages to the vendor for a credit or
205 reimbursement. Regardless of the county or counties in which the
206 licensee operates, a licensee under this subparagraph shall pay
207 the annual state license tax set forth in s. 565.02(1)(b). A
208 licensee under this subparagraph must maintain for a period of 3
209 years all records required by the department by rule to
210 demonstrate compliance with the requirements of this
211 subparagraph, including licensed vendor receipts for the
212 purchase of alcoholic beverages and records identifying each
213 customer and the location and date of each catered event.
214 Notwithstanding any provision of law to the contrary, any vendor
215 licensed under s. 565.02(1) subject to the limitation imposed in
216 subsection (1), may, without any additional licensure under this
217 subparagraph, serve or sell alcoholic beverages for consumption
218 on the premises of a catered event at which prepared food is
219 provided by a caterer licensed under chapter 509. If a licensee
220 under this subparagraph also possesses any other license under
221 the Beverage Law, the license issued under this subparagraph
222 shall not authorize the holder to conduct activities on the
223 premises to which the other license or licenses apply that would
224 otherwise be prohibited by the terms of that license or the
225 Beverage Law. Nothing in this section shall permit the licensee
226 to conduct activities that are otherwise prohibited by the
227 Beverage Law or local law. The Division of Alcoholic Beverages
228 and Tobacco is hereby authorized to adopt rules to administer
229 the license created in this subparagraph, to include rules
230 governing licensure, recordkeeping, and enforcement. The first
231 \$300,000 in fees collected by the division each fiscal year
232 pursuant to this subparagraph shall be deposited in the

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233 Department of Children and Families' Operations and Maintenance
234 Trust Fund to be used only for alcohol and drug abuse education,
235 treatment, and prevention programs. The remainder of the fees
236 collected shall be deposited into the Hotel and Restaurant Trust
237 Fund created pursuant to s. 509.072.

238

239 However, any license heretofore issued to any such hotel, motel,
240 motor court, or restaurant or hereafter issued to any such
241 hotel, motel, or motor court, including a condominium
242 accommodation, under the general law shall not be moved to a new
243 location, such license being valid only on the premises of such
244 hotel, motel, motor court, or restaurant. Licenses issued to
245 hotels, motels, motor courts, or restaurants under the general
246 law and held by such hotels, motels, motor courts, or
247 restaurants on May 24, 1947, shall be counted in the quota
248 limitation contained in subsection (1). Any license issued for
249 any hotel, motel, or motor court under the provisions of this
250 law shall be issued only to the owner of the hotel, motel, or
251 motor court or, in the event the hotel, motel, or motor court is
252 leased, to the lessee of the hotel, motel, or motor court; and
253 the license shall remain in the name of the owner or lessee so
254 long as the license is in existence. Any special license now in
255 existence heretofore issued under the provisions of this law
256 cannot be renewed except in the name of the owner of the hotel,
257 motel, motor court, or restaurant or, in the event the hotel,
258 motel, motor court, or restaurant is leased, in the name of the
259 lessee of the hotel, motel, motor court, or restaurant in which
260 the license is located and must remain in the name of the owner
261 or lessee so long as the license is in existence. Any license

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262 issued under this section shall be marked "Special," and nothing
263 herein provided shall limit, restrict, or prevent the issuance
264 of a special license for any restaurant or motel which shall
265 hereafter meet the requirements of the law existing immediately
266 prior to the effective date of this act, if construction of such
267 restaurant has commenced prior to the effective date of this act
268 and is completed within 30 days thereafter, or if an application
269 is on file for such special license at the time this act takes
270 effect; and any such licenses issued under this proviso may be
271 annually renewed as now provided by law. Nothing herein prevents
272 an application for transfer of a license to a bona fide
273 purchaser of any hotel, motel, motor court, or restaurant by the
274 purchaser of such facility or the transfer of such license
275 pursuant to law.

276 Section 5. Paragraphs (h) and (i) of subsection (1) of
277 section 561.29, Florida Statutes, are amended to read:

278 561.29 Revocation and suspension of license; power to
279 subpoena.—

280 (1) The division is given full power and authority to
281 revoke or suspend the license of any person holding a license
282 under the Beverage Law, when it is determined or found by the
283 division upon sufficient cause appearing of:

284 (h) Failure by the holder of any license under s. 561.20(1)
285 to maintain the licensed premises in an active manner in which
286 the licensed premises are open for the bona fide sale of
287 authorized alcoholic beverages during regular business hours of
288 at least 6 hours a day for a period of 120 days or more during
289 any 12-month period commencing 18 months after the acquisition
290 of the license by the licensee, regardless of the date the

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291 license was originally issued. Every licensee must notify the
292 division in writing of any period during which his or her
293 license is inactive and place the physical license with the
294 division to be held in an inactive status. ~~The division may~~
295 ~~waive or extend the requirement of this section upon the finding~~
296 ~~of hardship, including the purchase of the license in order to~~
297 ~~transfer it to a newly constructed or remodeled location.~~
298 ~~However, during such closed period, the licensee shall make~~
299 ~~reasonable efforts toward restoring the license to active~~
300 ~~status.~~ This paragraph applies ~~shall apply~~ to all annual license
301 periods commencing on or after July 1, 1981, but does ~~shall~~ not
302 apply to licenses issued after September 30, 1988. The division
303 shall, upon written request of the licensee, grant a one-time
304 written waiver or extension of the requirements of this
305 paragraph for a period not to exceed 12 months. Additionally,
306 the division may, upon written request of the licensee, grant a
307 waiver or extension of the requirements of this paragraph for a
308 period not to exceed 12 months if the licensee demonstrates
309 that:

- 310 1. The licensed premises has been physically damaged to
311 such an extent that active operation of the business at the
312 premises is impracticable;
- 313 2. Construction or remodeling is underway to relocate the
314 license to another location;
- 315 3. The licensed premises has been prohibited from making
316 sales as the result of any order of any court of competent
317 jurisdiction, or any action or inaction of a local governmental
318 entity relating to the permitting, construction, or occupational
319 capacity of the physical location of the licensed premises.

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320 (i) Failure of any licensee issued a new or transfer
321 license after September 30, 1988, under s. 561.20(1) to maintain
322 the licensed premises in an active manner in which the licensed
323 premises are open for business to the public for the bona fide
324 retail sale of authorized alcoholic beverages during regular and
325 reasonable business hours for at least 8 hours a day for a
326 period of 210 days or more during any 12-month period commencing
327 6 months after the acquisition of the license by the licensee.
328 It is the intent of this act that for purposes of compliance
329 with this paragraph, a licensee shall operate the licensed
330 premises in a manner so as to maximize sales and tax revenues
331 thereon; this includes maintaining a reasonable inventory of
332 merchandise, including authorized alcoholic beverages, and the
333 use of good business practices to achieve the intent of this
334 law. Any attempt by a licensee to circumvent the intent of this
335 law shall be grounds for revocation or suspension of the
336 alcoholic beverage license. ~~The division may, upon written~~
337 ~~request of the licensee, give a written waiver of this~~
338 ~~requirement for a period not to exceed 12 months in cases where~~
339 ~~the licensee demonstrates that the licensed premises has been~~
340 ~~physically destroyed through no fault of the licensee, when the~~
341 ~~licensee has suffered an incapacitating illness or injury which~~
342 ~~is likely to be prolonged, or when the licensed premises has~~
343 ~~been prohibited from making sales as a result of any action of~~
344 ~~any court of competent jurisdiction. Any waiver given pursuant~~
345 ~~to this subsection may be continued upon subsequent written~~
346 ~~request showing that substantial progress has been made toward~~
347 ~~restoring the licensed premises to a condition suitable for the~~
348 ~~resumption of sales or toward allowing for a court having~~

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349 ~~jurisdiction over the premises to release said jurisdiction, or~~
350 ~~that an incapacitating illness or injury continues to exist.~~
351 ~~However, in no event may the waivers necessitated by any one~~
352 ~~occurrence cumulatively total more than 24 months. Every A~~
353 licensee shall notify the division in writing of any period
354 during which his or her license is inactive and place the
355 physical license with the division to be held in an inactive
356 status. For the purpose of calculating compliance with the
357 requirements of this paragraph, a license that is acquired in a
358 transaction that is not an arm's length transaction, including
359 transfers from relatives, affiliates, subsidiaries, and other
360 related entities, retains and is subject to the first related
361 transferor's date of acquisition and related periods of
362 operation. The division shall, upon written request of the
363 licensee, grant a one-time written waiver or extension of the
364 requirements of this paragraph for a period not to exceed 12
365 months. Additionally, the division may, upon written request of
366 the licensee, grant a waiver or extension of the requirements of
367 this paragraph for a period not to exceed 12 months if the
368 licensee demonstrates that:

- 369 1. The licensed premises has been physically damaged to
370 such an extent that active operation of the business at the
371 premises is impracticable;
372 2. Construction or remodeling is underway to relocate the
373 license to another location;
374 3. The licensed premises has been prohibited from making
375 sales as the result of any order of any court of competent
376 jurisdiction, or any action or inaction of a local governmental
377 entity relating to the permitting, construction, or occupational

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378 capacity of the physical location of the licensed premises.

379 Section 6. Section 561.4205, Florida Statutes, is created
380 to read:

381 561.4205 Keg deposits; limited alternative inventory and
382 reconciliation process.-

383 (1) A distributor selling an alcoholic beverage to a vendor
384 in bulk, by recyclable keg or other similar reusable container,
385 for the purpose of sale in draft form on tap, must charge the
386 vendor a deposit, to be referred to as a "keg deposit," in an
387 amount not less than that charged to the distributor by the
388 manufacturer for each keg or container of the beverage sold. The
389 deposit amount charged to a vendor for a draft keg or container
390 of a like brand must be uniform. Charges made for deposits
391 collected or credits allowed for empty kegs or containers
392 returned must be shown separately on all sale tickets or
393 invoices. A copy of such sales tickets or invoices must be given
394 to the vendor at the time of delivery.

395 (2) In lieu of receiving a keg deposit, a distributor
396 selling alcoholic beverages by recyclable keg or other similar
397 reusable container for the purpose of sale in draft form to a
398 vendor identified in s. 561.01(18) or s. 565.02(6) or (7) shall
399 implement an inventory and reconciliation process with such
400 vendor in which an accounting of kegs is completed and any loss
401 or variance in the number of kegs is paid for by the vendor on a
402 per-keg basis equivalent to the required keg deposit. This
403 inventory and reconciliation process may occur twice per year,
404 at the discretion of the distributor, but must occur at least
405 annually. Upon completion of an agreed upon keg inventory and
406 reconciliation, the vendor shall remit payment within 15 days

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407 after receiving an invoice from the distributor. The vendor may
408 choose to establish and fund a separate account with the
409 distributor for the purpose of expediting timely payments.

410 Section 7. Section 561.422, Florida Statutes, is amended to
411 read:

412 561.422 Municipalities, counties, and nonprofit civic
413 organizations; temporary permits.-

414 (1) Upon the filing of an application, presentation of a
415 local building and zoning permit, and payment of a fee of \$25
416 per permit, the director of the division may issue a permit
417 authorizing a municipality, a county, or a ~~bona fide~~ nonprofit
418 civic organization to sell alcoholic beverages for consumption
419 on the premises of an event only, for a period not to exceed 3
420 days, subject to any state law or municipal or county ordinance
421 regulating the time for selling such beverages. All net profits
422 from sales of alcoholic beverages collected during the permit
423 period must be retained by the municipality, county, or
424 nonprofit civic organization. Any such municipality, county, or
425 nonprofit civic organization may be issued only three such
426 permits per calendar year; however, the director of the division
427 may issue more than three permits per calendar year to a
428 municipality or county if such permits are for events that have
429 been authorized by a majority vote of the governing body of the
430 municipality or county at a duly noticed public meeting. The
431 sworn application filed by a municipality or county for a
432 temporary permit under this section must be signed by the chief
433 executive officer of the municipality or county.

434 (2) Notwithstanding other provisions of the Beverage Law,
435 any municipality, county, or nonprofit civic organization

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436 licensed under this section may purchase alcoholic beverages
437 from a distributor or vendor licensed under the Beverage Law.

438 (3) All alcoholic beverages purchased for sale by a
439 municipality or county which remain unconsumed after an event
440 must be properly stored and secured by the municipality or
441 county.

442 Section 8. Paragraph (a) of subsection (7) of section
443 563.06, Florida Statutes, is amended to read:

444 563.06 Malt beverages; imprint on individual container;
445 size of containers; exemptions.-

446 (7) Notwithstanding any other provision of the Beverage
447 Law, a malt beverage may be packaged in a growler, which is an
448 individual container that holds 32, 64, or 128 ounces of such
449 malt beverage if it is filled at the point of sale.

450 (a) A growler may be filled or refilled by any of the
451 following:

452 1. A licensed manufacturer of malt beverages holding a
453 vendor's license under s. 561.221(2).

454 2. A vendor holding a quota license under s. 561.20(1) or
455 s. 565.02(1)(a) which ~~that~~ authorizes the sale of malt
456 beverages.

457 3. A vendor holding a license under s. 563.02(1)(b)-(f), s.
458 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), if such licensed
459 vendor receives a health inspection and certification under s.
460 561.17(2) ~~unless such license restricts the sale of malt~~
461 ~~beverages to sale for consumption only on the premises of such~~
462 ~~vendor.~~

463 Section 9. Subsection (2) of section 565.02, Florida
464 Statutes, is amended to read:

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465 565.02 License fees; vendors; clubs; caterers; and others.-

466 (2) Any operator of railroads or sleeping cars and any
467 vendor in a railroad transit station in this state may obtain a
468 license to keep for sale and sell the beverages mentioned in the
469 Beverage Law ~~on passenger trains~~ upon the payment of an annual
470 license tax of \$2,500, the tax to be paid to the division. A
471 municipality or county may not require an additional license or
472 levy a tax for the privilege of selling such beverages.

473 (a) Operators of railroads or sleeping cars in this state
474 are authorized to ~~Such license shall authorize the holder~~
475 ~~thereof to~~ keep for sale and sell all beverages mentioned in the
476 Beverage Law for consumption upon any dining, club, parlor,
477 buffet, or observation car of a passenger train in which
478 certified copies of the licenses issued to the operators are
479 posted. Certified copies of such licenses shall be issued by the
480 division upon the payment of a fee of \$10 ~~operated by it in this~~
481 ~~state, but such beverages may be sold only to passengers upon~~
482 ~~the cars and must be served for consumption thereon. It is~~
483 ~~unlawful for such licensees to purchase or sell any liquor~~
484 ~~except in miniature bottles of not more than 2 ounces. Every~~
485 ~~such license~~ for the sale of alcoholic beverages on a passenger
486 train shall be good throughout the state. Except for alcoholic
487 beverages sold within the licensed premises of a railroad
488 transit station, it is unlawful for such licensees to purchase
489 or sell any liquor on a passenger train except in miniature
490 bottles of not more than 2 ounces ~~No license shall be required,~~
491 ~~or tax levied by any municipality or county, for the privilege~~
492 ~~of selling such beverages for consumption in such cars. Such~~
493 ~~beverages shall be sold only on cars in which are posted~~

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494 ~~certified copies of the licenses issued to such operator. Such~~
495 ~~certified copies of such licenses shall be issued by the~~
496 ~~division upon the payment of a tax of \$10.~~

497 (b) Vendors in a railroad transit station are authorized to
498 keep for sale and sell all beverages mentioned in the Beverage
499 Law. Licenses issued to vendors in a railroad transit station
500 may not be transferred to locations beyond the railroad transit
501 station. The alcoholic beverages sold are for consumption on the
502 licensed premises and may be consumed in all areas within the
503 railroad transit station and on the passenger train. Operators
504 of railroads and sleeping cars shall keep separate the alcoholic
505 beverages intended for sale on passenger trains and the
506 alcoholic beverages intended for sale in the railroad transit
507 station.

508 Section 10. Section 565.04, Florida Statutes, is amended to
509 read:

510 565.04 Package store restrictions.—

511 (1) Vendors licensed under s. 565.02(1)(a) shall not in
512 said place of business sell, offer, or expose for sale any
513 merchandise other than such beverages, and such places of
514 business shall be devoted exclusively to such sales; provided,
515 however, that such vendors shall be permitted to sell bitters,
516 grenadine, nonalcoholic mixer-type beverages (not to include
517 fruit juices produced outside this state), fruit juices produced
518 in this state, home bar, and party supplies and equipment
519 (including but not limited to glassware and party-type foods),
520 miniatures of no alcoholic content, and tobacco products. Such
521 places of business shall have no openings permitting direct
522 access to any other building or room, except to a private office

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523 or storage room of the place of business from which patrons are
524 excluded.

525 (2) Notwithstanding any other law, when delivering
526 alcoholic beverages to a vendor licensed under s. 565.02(1)(a),
527 a licensed distributor may transport the beverages through
528 another premises owned in whole or in part by the vendor.

529 Section 11. This act shall take effect July 1, 2016.

530