

## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** HB 709 City of Tallahassee, Leon County

**SPONSOR(S):** Williams

**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Government Affairs Subcommittee	9 Y, 0 N	Walker	Miller
2) Business & Professions Subcommittee	11 Y, 0 N	Butler	Anstead
3) Local & Federal Affairs Committee	15 Y, 1 N	Walker	Kiner

### SUMMARY ANALYSIS

In 2008, the Legislature enacted a special act to authorize the issuance of temporary permits for the sale of alcoholic beverages at outdoor events in downtown Tallahassee. The act defined the boundaries of the downtown area of Tallahassee, including parts of Florida A&M University, where alcoholic beverages may be served and consumed during temporary events.

The bill revises the boundaries covered by the temporary permit to include Bragg Memorial Stadium on the Florida A&M University campus.

The Economic Impact Statement filed for the bill projects an indeterminate increase in sales tax revenues.

The bill takes effect upon becoming law.

**According to House Rule 5.5(b), a local bill providing an exemption from general law may not be placed on the Special Order Calendar for expedited consideration. The provisions of House Rule 5.5(b) may apply to this bill.**

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

The Division of Alcoholic Beverages and Tobacco (Division) of the Department of Business and Professional Regulation (DBPR) is responsible for regulating the conduct, management, and operation of the manufacturing, packaging, distribution, and sale within the state of alcoholic beverages. Chapters 561-565 and 567-568, F.S., comprise Florida's Beverage Law.

A nonprofit civic organization may apply for up to three temporary alcoholic beverage permits for events lasting 3 days or less, subject to any other state, municipal, or county ordinance time restrictions for selling alcoholic beverages.<sup>1</sup> Each permit requires that the alcoholic beverages may only be consumed on the premises.

In 2008, the Legislature enacted ch. 2008-294, Laws of Florida, ("the Act") to authorize the Division to issue a temporary permit authorizing the sale of alcoholic beverages for consumption on the premises at outdoor events on public rights-of-way in the downtown area of Tallahassee. The Act defined the boundaries of the downtown area of Tallahassee, where the temporary permits would allow the consumption of alcoholic beverages, and included portions of Florida A&M University.

The Act increased the number of temporary food service permits available to a nonprofit civic organization beyond the limits under general law, so long as the temporary event is located within the area specified by the Act. A nonprofit civic organization may be issued up to 15 temporary permits per calendar year, valid for up to three days, in addition to the three temporary permits authorized in general law.

##### **Effect of Proposed Changes**

The bill amends ch. 2008-294, Laws of Florida, revising the boundaries of the downtown area of Tallahassee to include Bragg Memorial Stadium on the Florida A&M University campus. This expands the area of the temporary alcoholic beverages permits created by the Act in 2008, and authorizes the Division to issue additional temporary permits to a nonprofit civic organization to sell alcoholic beverages in the newly expanded area.

The Economic Impact Statement projects the bill would slightly increase sales tax revenue due to increased sales on the campus of Florida A&M University during special events.<sup>2</sup> The Statement also anticipates the potential for local business growth due to the expansion of the college football and special events markets at Florida A&M University.

#### B. SECTION DIRECTORY:

Section 1. Amends ch. 2008-294, Laws of Florida, revising the boundaries of the downtown area of Tallahassee to expand the area subject to the exemption from s. 561.422, F.S., authorizing the Division to issue additional temporary permits for a nonprofit civic organization to sell alcoholic beverages on the premises at outdoor events on public right-of-way.

Section 2. Provides that the bill shall take effect upon becoming law.

### II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

#### A. NOTICE PUBLISHED? Yes No

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<sup>1</sup> s. 561.422, F.S.

<sup>2</sup> Economic Impact Statement for HB 709 (2016).

IF YES, WHEN?      October 16, 2015

WHERE?      *Tallahassee Democrat*, a daily newspaper published in Leon County, Florida.

B. REFERENDUM(S) REQUIRED?    Yes     No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED?    Yes, attached     No

D. ECONOMIC IMPACT STATEMENT FILED?    Yes, attached     No

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

**According to House Rule 5.5(b), a local bill providing an exemption from general law may not be placed on the Special Order Calendar for expedited consideration. The provisions of House Rule 5.5(b) may apply to this bill.**

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.