

By Senator Latvala

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1                   A bill to be entitled  
2           An act relating to alcoholic beverage permits;  
3           amending s. 218.32, F.S.; requiring local governmental  
4           entities to include revenues derived from the use of  
5           temporary alcoholic beverage permits in annual  
6           financial reports; amending s. 561.01, F.S.; defining  
7           the term "railroad transit station"; amending s.  
8           561.422, F.S.; authorizing the Division of Alcoholic  
9           Beverages and Tobacco within the Department of  
10          Business and Professional Regulation to issue  
11          temporary permits to municipalities and counties to  
12          sell alcoholic beverages for consumption on the  
13          premises of an event; providing conditions for such  
14          permits; requiring such municipalities and counties to  
15          remove and properly dispose of unconsumed alcoholic  
16          beverages; amending s. 562.14, F.S.; exempting  
17          railroad transit stations from provisions regulating  
18          the time during which alcoholic beverages may be sold,  
19          served, and consumed; amending s. 565.02, F.S.;  
20          authorizing operators of railroad transit stations to  
21          obtain licenses to sell alcoholic beverages; revising  
22          the locations where certain beverages may be sold;  
23          prohibiting the transfer of specified licenses to  
24          certain locations; prohibiting a municipality or  
25          county from requiring an additional license or levying  
26          a tax to sell certain beverages; exempting railroad  
27          transit stations from liquor bottle size restrictions;  
28          exempting operators of restaurants, shops, or other  
29          facilities that are part of, or that serve, railroad

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30 transit stations from certain licensing regulations;  
31 authorizing alcoholic beverages to be served in all  
32 areas within the property of a railroad transit  
33 station; providing an effective date.  
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35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. Paragraph (a) of subsection (1) of section  
38 218.32, Florida Statutes, is amended to read:

39 218.32 Annual financial reports; local governmental  
40 entities.—

41 (1) (a) Each local governmental entity that is determined to  
42 be a reporting entity, as defined by generally accepted  
43 accounting principles, and each independent special district as  
44 defined in s. 189.012, shall submit to the department a copy of  
45 its annual financial report for the previous fiscal year in a  
46 format prescribed by the department. The annual financial report  
47 must include a list of each local governmental entity included  
48 in the report and each local governmental entity that failed to  
49 provide financial information as required by paragraph (b). The  
50 annual financial report must also include all revenues derived  
51 from the use of temporary permits obtained by a reporting entity  
52 pursuant to s. 561.422. The chair of the governing body and the  
53 chief financial officer of each local governmental entity shall  
54 sign the annual financial report submitted pursuant to this  
55 subsection attesting to the accuracy of the information included  
56 in the report. The county annual financial report must be a  
57 single document that covers each county agency.

58 Section 2. Subsection (22) is added to section 561.01,

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59 Florida Statutes, to read:

60 561.01 Definitions.—As used in the Beverage Law:

61 (22) "Railroad transit station" means a platform or  
62 terminal facility where passenger trains operating on a guided  
63 rail system according to a fixed schedule between two or more  
64 cities regularly stop to load and unload passengers or goods.  
65 The term includes a passenger waiting lounge or dining, retail,  
66 entertainment, or recreational facilities within the premises  
67 owned or leased by the railroad operator or owner.

68 Section 3. Section 561.422, Florida Statutes, is amended to  
69 read:

70 561.422 Nonprofit civic organizations, municipalities, and  
71 counties; temporary permits.—

72 (1) Upon the filing of an application, presentation of a  
73 local building and zoning permit, and payment of a fee of \$25  
74 per permit, the director of the division may issue a permit  
75 authorizing a ~~bona fide~~ nonprofit civic organization,  
76 municipality, or county to sell alcoholic beverages for  
77 consumption on the premises of an event only, for a period not  
78 to exceed 3 days, subject to any state law or municipal or  
79 county ordinance regulating the time for selling such beverages.  
80 All net profits from sales of alcoholic beverages collected  
81 during the permit period must be retained by the nonprofit civic  
82 organization, municipality, or county. Any such nonprofit civic  
83 organization, municipality, or county may be issued only three  
84 such permits per calendar year.

85 (2) Notwithstanding other provisions of the Beverage Law,  
86 any nonprofit civic organization, municipality, or county  
87 licensed under this section may purchase alcoholic beverages

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88 from a distributor or vendor licensed under the Beverage Law.

89 (3) All alcoholic beverages purchased for sale by a  
90 municipality or county which remain unconsumed after an event  
91 must be removed from the premises of the event and properly  
92 disposed of by the municipality or county.

93 Section 4. Subsection (1) of section 562.14, Florida  
94 Statutes, is amended to read:

95 562.14 Regulating the time for sale of alcoholic and  
96 intoxicating beverages; prohibiting use of licensed premises.-

97 (1) Except as otherwise provided by county or municipal  
98 ordinance, ~~no~~ alcoholic beverages may not be sold, consumed,  
99 served, or permitted to be served or consumed in any place  
100 holding a license under the division between the hours of  
101 midnight and 7 a.m. of the following day. This section does  
102 ~~shall~~ not apply to railroad transit stations or to railroads  
103 selling only to passengers for consumption on railroad cars.

104 Section 5. Subsection (2) of section 565.02, Florida  
105 Statutes, is amended to read:

106 565.02 License fees; vendors; clubs; caterers; and others.-

107 (2) (a) Any operator of railroad transit stations,  
108 railroads, or sleeping cars in this state may obtain a license  
109 to sell the beverages mentioned in the Beverage Law ~~on passenger~~  
110 ~~trains~~ upon the payment of an annual license tax of \$2,500, ~~the~~  
111 ~~tax to be paid~~ to the division. The ~~Such~~ license is good  
112 throughout the state and authorizes ~~shall authorize~~ the licensee  
113 ~~holder thereof~~ to keep for sale and to sell all beverages  
114 mentioned in the Beverage Law on ~~upon~~ any dining, club, parlor,  
115 buffet, or observation car or within the property of a railroad  
116 transit station operated by the licensee. ~~it in this state, but~~

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117 Such beverages may be sold only to passengers on such ~~upon the~~  
118 cars or within the property of the railroad transit station and  
119 must be served for consumption thereon. Licenses issued pursuant  
120 to s. 565.02(2)(a) for railroad transit stations may not be  
121 transferred to locations beyond the premises of the railroad  
122 transit station. A municipality or county may not require an  
123 additional license or levy a tax for the privilege of selling  
124 such beverages.

125 (b) Except for alcoholic beverages sold within the property  
126 of a railroad transit station, it is unlawful for such licensees  
127 to purchase or sell any liquor except in miniature bottles of  
128 not more than 2 ounces. ~~Every such license shall be good~~  
129 ~~throughout the state. No license shall be required, or tax~~  
130 ~~levied by any municipality or county, for the privilege of~~  
131 ~~selling such beverages for consumption in such cars. Such~~  
132 beverages ~~may shall~~ be sold only on cars in which ~~are posted~~  
133 certified copies of the licenses issued to ~~the such~~ operator ~~are~~  
134 posted. ~~Such~~ Certified copies of such licenses shall be issued  
135 by the division upon the payment of a tax of \$10.

136 (c) A limitation of the number of licenses issued pursuant  
137 to this section does not prohibit the issuance of a license  
138 authorized by the Beverage Law or a special license issued  
139 pursuant to s. 561.20 to operators of restaurants, shops, or  
140 other facilities that are part of, or that serve, railroad  
141 transit stations, and any such licenses issued are exempt from  
142 s. 562.45. The alcoholic beverages sold by a licensed operator  
143 may be consumed in all areas within the property of the railroad  
144 transit station as defined in s. 561.01(22).

145 Section 6. This act shall take effect July 1, 2016.