

By the Committee on Regulated Industries; and Senator Flores

580-01212-17

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1 A bill to be entitled

2 An act relating to vendors licensed under the Beverage  
3 Law; amending s. 562.13, F.S.; revising applicability  
4 to specify circumstances under which persons under the  
5 age of 18 years who are employed in specified  
6 businesses are excluded from certain employment  
7 prohibitions; providing that failure to comply with a  
8 restriction on monthly revenue from the sale of  
9 alcoholic beverages is unlawful if a minor is employed  
10 during a month that the restriction is exceeded;  
11 amending s. 565.04, F.S.; limiting the package store  
12 restrictions to vendors located within a certain  
13 distance of a school; providing an exception for  
14 current licenses with some restrictions; providing an  
15 effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Paragraph (c) of subsection (2) of section  
20 562.13, Florida Statutes, is amended to read:

21 562.13 Employment of minors or certain other persons by  
22 certain vendors prohibited; exceptions.—

23 (2) This section shall not apply to:

24 (c) Persons under the age of 18 years who are employed in a  
25 retail drugstore ~~drugstores~~, grocery store ~~stores~~, department  
26 store ~~stores~~, florist shop ~~florists~~, specialty gift shop ~~shops~~,  
27 or automobile service station whose license fees are specified  
28 in s. 563.02(1), s. 564.02(1), or s. 565.02(1)(a), if such  
29 vendor derives 30 percent or less of its monthly gross revenue  
30 from sales of alcoholic beverages. This exception applies only  
31 if the minor employees are supervised by a person 18 years of  
32 age or older who verifies that any purchaser of alcoholic

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33 beverages is 21 years of age or older and who approves the sale  
34 of alcoholic beverages to such purchaser. Failure to comply with  
35 the restriction on monthly revenue from the sale of alcoholic  
36 beverages is unlawful if a person under the age of 18 years is  
37 employed in the licensed premises during a month that the  
38 restriction is exceeded ~~stations which have obtained licenses to~~  
39 ~~sell beer or beer and wine, when such sales are made for~~  
40 ~~consumption off the premises.~~

41  
42 However, a minor to whom this subsection otherwise applies may  
43 not be employed if the employment, whether as a professional  
44 entertainer or otherwise, involves nudity, as defined in s.  
45 847.001, on the part of the minor and such nudity is intended as  
46 a form of adult entertainment.

47 Section 2. Subsection (1) of section 565.04, Florida  
48 Statutes, is amended to read:

49 565.04 Package store restrictions.—

50 (1) (a) The division may not issue a license under s.  
51 565.02(1) (a) for any location or business located within 1,000  
52 feet of a public or private elementary school, middle school, or  
53 secondary school.

54 (b) Notwithstanding paragraph (a), a vendor ~~vendors~~  
55 licensed under s. 565.02(1) (a) on or before June 30, 2017, for a  
56 licensed premises located within 1,000 feet of a public or  
57 private elementary school, middle school, or secondary school,  
58 may maintain and renew the beverage license for that premises  
59 but may ~~shall~~ not in said place of business sell, offer, or  
60 expose for sale any merchandise other than such beverages, and  
61 such ~~place~~ ~~places~~ of business shall be devoted exclusively to

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62 such sales; provided, however, that such vendor ~~vendors~~ shall be  
63 permitted to sell bitters, grenadine, nonalcoholic mixer-type  
64 beverages (not to include fruit juices produced outside this  
65 state), fruit juices produced in this state, home bar, and party  
66 supplies and equipment (including but not limited to glassware  
67 and party-type foods), miniatures of no alcoholic content, and  
68 tobacco products. Such places of business shall have no openings  
69 permitting direct access to any other building or room, except  
70 to a private office or storage room of the place of business  
71 from which patrons are excluded.

72 Section 3. This act shall take effect July 1, 2017.