

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Avila offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

(2) This section shall not apply to:

(c) Persons under the age of 18 years who are employed in a retail drugstore ~~drugstores~~, grocery store ~~stores~~, department store ~~stores~~, florist shop ~~florists~~, specialty gift shop ~~shops~~, or automobile service station whose license fees are specified in s. 563.02(1), s. 564.02(1), or s. 565.02(1)(a), if such vendor derives 30 percent or less of its monthly gross revenue

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17 from sales of alcoholic beverages. This exception applies only
18 if the minor employees are supervised by a person 18 years of
19 age or older who verifies that any purchaser of alcoholic
20 beverages is 21 years of age or older and who approves the sale
21 of alcoholic beverages to such purchaser. Failure to comply with
22 the restriction on monthly revenue from the sale of alcoholic
23 beverages is unlawful if a person under the age of 18 years is
24 employed in the licensed premises during a month that the
25 restriction is exceeded ~~stations which have obtained licenses to~~
26 ~~sell beer or beer and wine, when such sales are made for~~
27 ~~consumption off the premises.~~

28
29 However, a minor to whom this subsection otherwise applies may
30 not be employed if the employment, whether as a professional
31 entertainer or otherwise, involves nudity, as defined in s.
32 847.001, on the part of the minor and such nudity is intended as
33 a form of adult entertainment.

34 Section 2. Subsection (1) of section 565.04, Florida
35 Statutes, is amended, present subsection (2) of that section is
36 redesignated as subsection (5), and a new subsection (2) and
37 subsections (3) and (4) are added to that section, to read:

38 565.04 Package store restrictions.—

39 (1) (a) The division may not issue a license under s.
40 565.02(1) (a) for any location or business located within 1,000

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41 feet of a public or private elementary school, middle school, or
42 secondary school.

43 (b) Notwithstanding paragraph (a), a vendor ~~vendors~~
44 licensed under s. 565.02(1)(a) on or before June 30, 2017, for a
45 licensed premises located within 1,000 feet of a public or
46 private elementary school, middle school, or secondary school,
47 may maintain and renew the beverage license for that premises
48 but may ~~shall~~ not in said place of business sell, offer, or
49 expose for sale any merchandise other than such beverages, and
50 such place ~~places~~ of business shall be devoted exclusively to
51 such sales; provided, however, that such vendor ~~vendors~~ shall be
52 permitted to sell bitters, grenadine, nonalcoholic mixer-type
53 beverages (not to include fruit juices produced outside this
54 state), fruit juices produced in this state, home bar, and party
55 supplies and equipment (including but not limited to glassware
56 and party-type foods), miniatures of no alcoholic content, and
57 tobacco products. Such places of business shall have no openings
58 permitting direct access to any other building or room, except
59 to a private office or storage room of the place of business
60 from which patrons are excluded.

61 (2)(a) A vendor licensed under s. 565.02(1)(a) may not in
62 such place of business sell, offer, or expose for sale any
63 merchandise other than such beverages, and such place of
64 business shall be devoted exclusively to such sales; however,
65 such vendor may sell bitters, grenadine, nonalcoholic mixer-type

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66 beverages (not to include fruit juices produced outside this
67 state), fruit juices produced in this state, home bar, party
68 supplies and equipment (including, but not limited to, glassware
69 and party-type foods), miniatures of no alcoholic content, and
70 tobacco products. Such place of business may not have openings
71 permitting direct access to any other building or room, except
72 to a private office or storage room of the place of business
73 from which patrons are excluded.

74 (b) Paragraph (a) does not apply to a vendor:

75 1. After July 1, 2018:

76 a. At the vendor's place of business if the vendor has only
77 one place of business.

78 b. At 25 percent of the vendor's places of business if the
79 vendor has an interest, directly or indirectly, in more than one
80 place of business;

81 2. After July 1, 2019, at two of the vendor's places of
82 business, or, if the vendor has an interest, directly or
83 indirectly, in two or more places of business, 50 percent of the
84 vendor's places of business; and

85 3. After July 1, 2020, at three of the vendor's places of
86 business, or, if the vendor has an interest in three or more
87 places of business, 75 percent of the vendor's places of
88 business.

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90 If the percentage of the vendor's places of business results in
91 a fraction of 0.50 or more, the number of the vendor's places of
92 business at which paragraph (a) does not apply shall be
93 increased to the next greater whole number. A vendor licensed
94 under s. 565.02(1)(a) must notify the Division of Alcoholic
95 Beverages and Tobacco, in writing, of the places of business to
96 which paragraph (a) will not apply.

97 (c) This subsection expires June 30, 2021.

98 (3)(a) A vendor licensed under s. 565.02(1)(a) may not in
99 such place of business sell, offer, or expose for sale distilled
100 spirits in containers of 200 milliliters or less or 6.8 ounces
101 or less except from a restricted area where access is restricted
102 to the vendor or employees of such vendor.

103 (b) Paragraph (a) does not apply to a vendor's place of
104 business if such place of business is devoted exclusively to the
105 sale of alcoholic beverages; however, such vendor at such place
106 of business may sell bitters, grenadine, nonalcoholic mixer-type
107 beverages (not to include fruit juices produced outside this
108 state), fruit juices produced in this state, home bar, party
109 supplies and equipment (including, but not limited to, glassware
110 and party-type foods), miniatures of no alcoholic content, and
111 tobacco products. Such place of business may not have openings
112 permitting direct access to any other building or room, except
113 to a private office or storage room of the place of business
114 from which patrons are excluded.

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

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117
118 **T I T L E A M E N D M E N T**

119 Remove everything before the enacting clause and insert:

120 A bill to be entitled

121 An act relating to vendors licensed under the Beverage Law;
122 amending s. 562.13, F.S.; revising applicability to specify
123 circumstances under which persons under the age of 18 years who
124 are employed in specified businesses are excluded from certain
125 employment prohibitions; providing that failure to comply with a
126 restriction on monthly revenue from the sale of alcoholic
127 beverages is unlawful if a minor is employed during a month that
128 the restriction is exceeded; amending s. 565.04, F.S.; limiting
129 the package store restrictions to vendors located within a
130 certain distance of a school; providing an exception for current
131 licenses with some restrictions; providing applicability;
132 providing an expiration date; providing a restriction on the
133 sale of distilled spirits below the specified container sizes;
134 providing an exception; providing an effective date.