

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

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

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
6 Section 1. Subsections (1) and (2) of section 561.57,
7 Florida Statutes, are amended, and subsection (6) is added to
8 that section, to read:

9 561.57 Deliveries by licensees.-

10 (1) Vendors shall be permitted to make deliveries away
11 from their places of business of sales actually made at the
12 licensed place of business; provided, telephone, electronic, or
13 mail orders received at vendor's licensed place of business
14 shall be construed as a sale actually made at the vendor's
15 licensed place of business. Deliveries made by a vendor away
16 from his or her place of business may be made in vehicles that

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17 are owned or leased by the vendor or in a third-party vehicle
18 pursuant to a contract with a third party with whom the vendor
19 has contracted to make deliveries, including, but not limited
20 to, common carriers. By acceptance of an alcoholic beverage
21 license, the licensee agrees that vehicles that are owned or
22 leased by the vendor shall always be subject to inspection and
23 search without a search warrant for the purpose of ascertaining
24 that all provisions of the alcoholic beverage laws are complied
25 with by authorized employees of the division and also by
26 sheriffs, deputy sheriffs, and police officers during business
27 hours or other times the vehicle is being used to transport or
28 deliver alcoholic beverages. A manufacturer possessing a
29 vendor's license under s. 561.221(2) is not permitted to make
30 deliveries under this subsection.

31 (2) Deliveries made by a manufacturer, or distributor, ~~or~~
32 ~~vendor~~ away from his or her place of business may be made only
33 in vehicles ~~which~~ that are owned or leased by the licensee. By
34 acceptance of an alcoholic beverage license and the use of such
35 vehicles, the licensee agrees that such vehicle shall always be
36 subject to be inspected and searched without a search warrant,
37 for the purpose of ascertaining that all provisions of the
38 alcoholic beverage laws are complied with, by authorized
39 employees of the division and also by sheriffs, deputy sheriffs,
40 and police officers during business hours or other times the

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41 vehicle is being used to transport or deliver alcoholic
42 beverages.

43 (6) Valid proof of the recipient's identity and age shall
44 be verified and documented at the time of delivery. All
45 deliveries made pursuant to this section, either by a licensee
46 or third party, must comply with s. 562.11.

47 Section 2. This act shall take effect July 1, 2018.

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49 **T I T L E A M E N D M E N T**

50 Remove everything before the enacting clause and insert:

51 A bill to be entitled

52 An act relating to the Beverage Law; amending s. 561.57, F.S.;

53 providing for electronic orders received at a vendor's licensed

54 place of business to be construed as a sale actually made at the

55 vendor's licensed place of business; authorizing a vendor to

56 make certain deliveries in a third-party vehicle under certain

57 circumstances; requiring that the recipient's identity and age

58 be verified and documented at the time of delivery; requiring

59 that deliveries comply with s. 562.11, F.S.; providing an

60 effective date.