

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 891 St. Lucie County
SPONSOR(S): Harrell
TIED BILLS: **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	14 Y, 0 N	Renner	Miller
2) Careers & Competition Subcommittee	11 Y, 0 N	Willson	Anstead
3) Government Accountability Committee			

SUMMARY ANALYSIS

In 1967, the Legislature enacted ch. 67-1990, Laws of Florida, to provide specific requirements regarding the issuance of Special Restaurant Beverage (SRX) licenses in St. Lucie County. Under the special act, in St. Lucie County SRX licenses may be issued to any bona fide restaurant with service for 200 or more patrons at tables and occupying more than 4,000 square feet of floor space.

The bill repeals ch. 67-1990, Laws of Florida, relating to the issuance of SRX licenses for restaurants in St. Lucie County. The issuance of subsequent SRX licenses in the county will be as provided under general law.

The bill does not appear to have a fiscal impact on state or local government.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The Division of Alcoholic Beverages and Tobacco (DABT) of the Department of Business and Profession Regulation (DBPR) is responsible for the enforcement of Florida's Beverage Laws.¹

Florida law limits the number of alcoholic beverage licenses that may be issued to one license for every 7,500 residents in a county, known as the "quota".² Special Restaurant Beverage (SRX) licenses may be issued in excess of the quota limitations in s. 561.20(1), F.S., and are regulated under Rule 61A-3.0141, F.A.C. To qualify for the SRX license, a restaurant must have a service area of at least 2,500 square feet, be equipped to serve at least 150 persons full meals at one time, and derive at least 51% of its revenue from the sale of food and nonalcoholic beverages.³

The specific requirements regarding the issuance of SRX licenses in St. Lucie County are found in ch. 67-1990, Laws of Florida.

In St. Lucie County, SRX licenses may be issued to any bona fide restaurant with service for 200 or more patrons at tables and occupying more than 4,000 square feet of floor space. Licensees are prohibited from selling alcoholic beverages in packages for consumption off of the premises and from operating as a package store.

Effect of Proposed Changes

The bill repeals ch. 67-1990, Laws of Florida, relating to the issuance of SRX licenses for bona fide restaurants in St. Lucie County. The issuance of subsequent SRX licenses in the county will be as provided under general law.

B. SECTION DIRECTORY:

Section 1 Repeals Chapter 67-1990, Laws of Florida, relating to the issuance of SRX licenses in St. Lucie County

Section 2 Provides an effective date upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? September 24, 2017

WHERE? *St. Lucie News-Tribune*

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

¹ Chs. 561-568, F.S.

² Section 561.20(1), F.S.

³ Section 561.20(2)(a)4., F.S.

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 neither authorizes nor requires administrative rulemaking by executive branch agencies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.