

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to the sale of frozen or mixed
3 alcoholic beverages for off-premises consumption;
4 amending s. 565.045, F.S.; authorizing certain vendors
5 to sell frozen alcoholic beverages or mixed alcoholic
6 beverages for off-premises consumption under certain
7 circumstances; providing definitions; providing an
8 effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (1) of section 565.045, Florida
13 Statutes, is amended, and subsection (4) is added to that
14 section, to read:

15 565.045 Regulations for consumption on or off premises;
16 penalty; exemptions.—

17 (1) Vendors licensed under s. 565.02(1)(b)-(f) shall
18 provide seats for the use of their customers. Such vendors may
19 sell alcoholic beverages, including frozen alcoholic beverages
20 or mixed alcoholic beverages, by the drink or in sealed
21 containers for consumption on or off the premises where sold.
22 Frozen alcoholic beverages or mixed alcoholic beverages shall be
23 considered sealed when packaging is applied on the licensed
24 premises in such a manner as to prevent immediate consumption.

25 (4) As used in this section, the term:

26 (a) "Frozen alcoholic beverage" means an iced, flavored
27 alcoholic beverage made with a blender or dispensed from a
28 frozen drink machine.

29 (b) "Immediate consumption" means the consumption of a

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30 frozen or mixed alcoholic beverage without requiring any
31 intervening action such as the opening, removal, or perforation
32 of the container.

33 (c) "Mixed alcoholic beverage" means a beverage made with
34 one or more types of liquor combined with one or more other
35 ingredients, which is usually shaken or stirred.

36 Section 2. This act shall take effect July 1, 2021.