



268850

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/14/2024	.	
	.	
	.	
	.	

The Committee on Rules (Martin) recommended the following:

Senate Amendment

Delete lines 23 - 72
and insert:

(1) (a) It is unlawful for any person to sell alcoholic beverages without a license, and it is unlawful for any licensee to sell alcoholic beverages except as permitted by her or his license, or to sell such beverages in any manner except that permitted by her or his license; and any licensee or other person who keeps or possesses alcoholic beverages not permitted to be sold by her or his license, or not permitted to be sold



268850

12 without a license, with intent to sell or dispose of same
13 unlawfully, or who keeps and maintains a place where alcoholic
14 beverages are sold unlawfully, commits is guilty of a felony of
15 the third degree, punishable as provided in s. 775.082, s.
16 775.083, or s. 775.084, and must pay a fine of not less than
17 \$5,000 and not more than \$10,000 ~~misdemeanor of the second~~
18 ~~degree, punishable as provided in s. 775.082 or s. 775.083.~~

19 (b) Any person who unlawfully sells alcoholic beverages at
20 a commercial establishment or keeps and maintains a place where
21 alcoholic beverages are sold or intended to be sold unlawfully
22 commits a felony of the third degree, punishable as provided in
23 s. 775.082, s. 775.083, or s. 775.084, and must pay a fine of
24 not less than \$5,000 and not more than \$10,000.

25 (2) Any person who commits a second or subsequent violation
26 of subsection (1) commits a felony of the second degree,
27 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
28 and must pay a fine of not less than \$15,000 and not more than
29 \$20,000.

30 Section 1. Subsection (2) of section 893.138, Florida
31 Statutes, is amended to read:

32 893.138 Local administrative action to abate certain
33 activities declared public nuisances.—

34 (2) Any place or premises that has been used:

35 (a) On more than two occasions within a 6-month period, as
36 the site of a violation of s. 796.07;

37 (b) On more than two occasions within a 6-month period, as
38 the site of the unlawful sale, delivery, manufacture, or
39 cultivation of any controlled substance;

40 (c) On one occasion as the site of the unlawful possession



268850

41 of a controlled substance, where such possession constitutes a
42 felony and that has been previously used on more than one
43 occasion as the site of the unlawful sale, delivery,
44 manufacture, or cultivation of any controlled substance;

45 (d) By a criminal gang for the purpose of conducting
46 criminal gang activity as defined by s. 874.03;

47 (e) On more than two occasions within a 6-month period, as
48 the site of a violation of s. 812.019, relating to dealing in
49 stolen property;

50 (f) On two or more occasions within a 6-month period, as
51 the site of a violation of chapter 499; ~~or~~

52 (g) On more than two occasions within a 6-month period, as
53 the site of a violation of any combination of the following:

- 54 1. Section 782.04, relating to murder;
55 2. Section 782.051, relating to attempted felony murder;
56 3. Section 784.045(1)(a)2., relating to aggravated battery
57 with a deadly weapon; ~~or~~
58 4. Section 784.021(1)(a), relating to aggravated assault
59 with a deadly weapon without intent to kill; or

60 (h) On more than two occasions within a 12-month period, as