

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [HB 4031](#)

**TITLE:** City of Oviedo, Seminole County

**SPONSOR(S):** Plasencia

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Intergovernmental Affairs](#)

16 Y, 0 N



[Industries & Professional](#)

[Activities](#)

14 Y, 0 N



[State Affairs](#)

## SUMMARY

### **Effect of the Bill:**

The bill creates a special zone within the City of Oviedo to be known as the Oviedo Arts and Entertainment District. The bill creates an exception to the Beverage Law by requiring the Department of Business and Professional Regulation to issue special alcoholic beverage licenses to bona fide licensees within the district to sell alcoholic beverages in open containers for off-premises consumption inside the entertainment district. The bill requires Oviedo City Council to specify the type, design, and color of the cups to be used by ordinance. The bill provides that the licensee will follow all other requirements of The Beverage Law.

### **Fiscal or Economic Impact:**

The bill may have an indeterminant positive fiscal impact on local revenues from increases in sales tax revenue, licensing revenue, and ad valorem revenue.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill provides a legal description of a special zone within the City of Oviedo that the bill designates as the Oviedo Arts and Entertainment District. (Section [1](#))

The bill creates an exception to the [Beverage Law](#) by requiring the Department of Business and Professional Regulation to issue special alcoholic beverage licenses to bona fide licensees operating validly licensed premises in the Oviedo Arts and Entertainment District. The special license, or modification of an existing license, allows the licensee to sell alcoholic beverages in open containers for consumption on the premises, but which may be carried off the premises to be consumed elsewhere in the entertainment district. (Section [2](#))

The bill requires the Oviedo City Council to specify the type, design, and color of the cups to be used by ordinance. (Section [2](#))

The bill provides that the licensee will follow all other requirements of the Beverage Law. (Section [2](#))

The bill provides an effective date of upon becoming a law. (Section [3](#))

### **FISCAL OR ECONOMIC IMPACT:**

#### LOCAL GOVERNMENT:

The bill may have an indeterminant positive fiscal impact on local revenues from increases in sales tax, licensing revenue, and ad valorem tax revenue.

**STORAGE NAME:** h4031c.IPA

**DATE:** 3/20/2025

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Beverage Law](#)

The Division of Alcoholic Beverages and Tobacco (Division) within the Department of Business and Professional Regulation (DBPR) is responsible for regulating the conduct, management, and operation of the manufacturing, packaging, distribution, and sale of alcoholic beverages within the state.<sup>1</sup> Chapters 561-565 and 567-568, F.S., comprise Florida's Beverage Law.

Under the Beverage Law, DBPR is not limited on the number of licenses it issues to businesses selling malt beverages or wine. However, the statute limits the number of licenses that may be issued for the sale of liquor or distilled spirits is limited to one license per 7,500 residents per county with a minimum of three licenses per county that has approved the sale of intoxicating liquors.<sup>2</sup> This license, often referred to as a "quota license," allows a business to sell any alcoholic beverage regardless of alcoholic content, including liquor or distilled spirits.<sup>3</sup>

There are several exceptions to the quota license limitation, and businesses that meet the requirements set out in one of the exceptions may be issued a special license by DBPR, allowing the business to serve any alcoholic beverages regardless of alcohol content.

Alcoholic beverages sold for consumption on premises must be consumed inside the licensed premises.<sup>4</sup> DBPR may approve a temporary expansion of the licensed premises to include a sidewalk or other outdoor area for special events. The business must pay an application fee of \$100, stipulate the timeframe for the special event, submit a sketch outlining the expanded premises, and submit written approval from the county or municipality.

#### Local Bill Forms

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.<sup>5</sup> A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website<sup>6</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>7</sup> The bill was noticed in the [Orlando Sentinel on January 11, 2025](#).

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>8</sup> Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- [Local Bill Certification Form](#)
- [Economic Impact Statement](#)

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<sup>1</sup> S. [561.02, F.S.](#)

<sup>2</sup> S. [561.20\(1\), F.S.](#)

<sup>3</sup> S. [561.20, F.S.](#)

<sup>4</sup> See [s. 561.01\(11\), F.S.](#) (definition of "licensed premises").

<sup>5</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>6</sup> S. [50.0311\(2\), F.S.](#)

<sup>7</sup> S. [11.02, F.S.](#) If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.

<sup>8</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Feb. 25, 2025).

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## BILL HISTORY

<b>COMMITTEE REFERENCE</b>	<b>ACTION</b>	<b>DATE</b>	<b>STAFF DIRECTOR/ POLICY CHIEF</b>	<b>ANALYSIS PREPARED BY</b>
<a href="#">Intergovernmental Affairs Subcommittee</a>	16 Y, 0 N	3/12/2025	Darden	Burgess
<a href="#">Industries &amp; Professional Activities Subcommittee</a>	14 Y, 0 N	3/19/2025	Anstead	Brackett
<a href="#">State Affairs Committee</a>				