

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 #: [CS/HB 4055](#)

TITLE: City of Lake Wales, Polk County

SPONSOR(S): Albert

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Intergovernmental Affairs](#)

16 Y, 0 N



[Industries & Professional
Activities](#)

17 Y, 0 N, As CS



[State Affairs](#)

23 Y, 0 N

SUMMARY

Effect of the Bill:

The bill provides an exception to the Beverage Law to authorize licensed vendors in the Lake Wales Arts, Culture, and Entertainment District to sell alcoholic beverages for off-premises consumption within the district.

Fiscal or Economic Impact:

None

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ANALYSIS

EFFECT OF THE BILL:

The bill provides an exception to the [Beverage Law](#) to authorize licensed vendors in the [Lake Wales Arts, Culture, and Entertainment District](#) (District) to sell alcoholic beverages for off-premises consumption within the District. The bill provides the beverages may be sold in an open container for off-premise consumption regardless of the type of alcoholic beverage license they hold and without the need for additional licenses. (Section [1](#))

The bill specifies that vendors making such sales must still comply with all other local ordinances, state alcoholic beverage laws, and rules of the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation. (Section [2](#))

The bill provides a metes-and-bounds property description of the District. (Section [3](#))

The bill provides an effective date of upon becoming a law. (Section [4](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Beverage Law

Florida's Beverage Law¹ regulates the manufacture, distribution, and sale of wine, beer, and liquor by manufacturers, distributors, and vendors.² The Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation administers and enforces the Beverage Law.³ Under the Beverage Law, there is no limit on the number of licenses the division may issue to businesses selling malt beverages or wine. However, the number of licenses for selling liquor or distilled spirits is limited to one license per 7,500 residents within a county with a minimum of three licenses per county that has approved the sale of

¹ Section [561.01\(6\), F.S.](#), provides that the "Beverage Law" means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.

² See [s. 561.14, F.S.](#)

³ [S. 561.02, F.S.](#)

STORAGE NAME: h4055e.SAC

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intoxicating liquors.⁴ These licenses are known as quota licenses and are the only alcoholic beverage license type that is limited in number.⁵

There are several exceptions to the quota license limitation, and businesses that meet the requirements for an exception may be issued a special license by the division, 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.⁶ The division may approve a temporary expansion of the licensed premises to include a sidewalk or other outdoor areas 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.

Lake Wales Arts, Culture, and Entertainment District

The Lake Wales City Council created the Lake Wales Arts, Culture, and Entertainment District by ordinance in August 2025 to promote the economic development of the downtown area of the City of Lake Wales.⁷ The city desired to attract and retain businesses and to create a walkable and pedestrian friendly downtown area. The ordinance amended several of the city's existing ordinances to allow outside consumption of alcoholic beverages within District boundaries. These new ordinances were intended to support and enhance cultural event programming, restaurants, music venues, and arts institutions located within the District.

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.⁸ A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website⁹ at least 30 days prior to the introduction of the local bill in the House or Senate.¹⁰ The bill was noticed on the publicly accessible website of [Polk County](#) and the [City of Lake Wales on October 31, 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.¹¹ 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 Form](#)

⁴ [S. 561.20\(1\), F.S.](#)

⁵ [S. 561.20, F.S.](#)

⁶ See [s. 561.01\(11\), F.S.](#) (definition of “licensed premises”).

⁷ Lake Wales City Commission, [Aug. 5, 2025 Meeting Minutes](#), p. 4 (last visited Jan. 29, 2026).

⁸ [Art. III, s. 10, Fla. Const.](#)

⁹ [S. 50.0311\(2\), F.S.](#)

¹⁰ [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.

¹¹ Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Jan. 29, 2026).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	16 Y, 0 N	1/20/2026	Darden	Hilliard
Industries & Professional Activities Subcommittee	17 Y, 0 N, As CS	1/28/2026	Anstead	Ray
THE CHANGES ADOPTED BY THE COMMITTEE: Clarified that open containers may be removed from the licensed premises.				
State Affairs Committee	23 Y, 0 N	2/3/2026	Darden	Hilliard

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
