

1 A bill to be entitled

2 An act relating to vendors licensed under the Beverage
3 Law; amending s. 562.13, F.S.; revising applicability
4 to specify circumstances under which persons under the
5 age of 18 years who are employed in specified
6 businesses are excluded from certain employment
7 prohibitions; providing that failure to comply with a
8 restriction on monthly revenue from the sale of
9 alcoholic beverages is unlawful if a minor is employed
10 during a month that the restriction is exceeded;
11 amending s. 565.04, F.S.; limiting the package store
12 restrictions to vendors located within a certain
13 distance of a school; providing an exception for
14 current licenses with some restrictions; providing
15 applicability; providing an expiration date; providing
16 a restriction on the sale of distilled spirits below
17 the specified container sizes; providing an exception;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Paragraph (c) of subsection (2) of section
23 562.13, Florida Statutes, is amended to read:

24 562.13 Employment of minors or certain other persons by
25 certain vendors prohibited; exceptions.—

26 (2) This section shall not apply to:

27 (c) Persons under the age of 18 years who are employed in
 28 a retail drugstore ~~drugstores~~, grocery store ~~stores~~, department
 29 store ~~stores~~, florist shop ~~florists~~, specialty gift shop ~~shops~~,
 30 or automobile service station whose license fees are specified
 31 in s. 563.02(1), s. 564.02(1), or s. 565.02(1)(a), if such
 32 vendor derives 30 percent or less of its monthly gross revenue
 33 from sales of alcoholic beverages. This exception applies only
 34 if the minor employees are supervised by a person 18 years of
 35 age or older who verifies that any purchaser of alcoholic
 36 beverages is 21 years of age or older and who approves the sale
 37 of alcoholic beverages to such purchaser. Failure to comply with
 38 the restriction on monthly revenue from the sale of alcoholic
 39 beverages is unlawful if a person under the age of 18 years is
 40 employed in the licensed premises during a month that the
 41 restriction is exceeded ~~stations which have obtained licenses to~~
 42 ~~sell beer or beer and wine, when such sales are made for~~
 43 ~~consumption off the premises.~~

44
 45 However, a minor to whom this subsection otherwise applies may
 46 not be employed if the employment, whether as a professional
 47 entertainer or otherwise, involves nudity, as defined in s.
 48 847.001, on the part of the minor and such nudity is intended as
 49 a form of adult entertainment.

50 Section 2. Subsection (1) of section 565.04, Florida

51 Statutes, is amended, present subsection (2) of that section is
 52 redesignated as subsection (4), and new subsections (2) and (3)
 53 are added to that section, to read:

54 565.04 Package store restrictions.—

55 (1) (a) The division may not issue a license under s.
 56 565.02(1) (a) for any location or business located within 1,000
 57 feet of a public or private elementary school, middle school, or
 58 secondary school.

59 (b) Notwithstanding paragraph (a), a vendor ~~vendors~~
 60 licensed under s. 565.02(1) (a) on or before June 30, 2017, for a
 61 licensed premises located within 1,000 feet of a public or
 62 private elementary school, middle school, or secondary school,
 63 may maintain and renew the beverage license for that premises
 64 but may ~~shall~~ not in said place of business sell, offer, or
 65 expose for sale any merchandise other than such beverages, and
 66 such ~~place~~ ~~places~~ of business shall be devoted exclusively to
 67 such sales; provided, however, that such ~~vendor~~ ~~vendors~~ shall be
 68 permitted to sell bitters, grenadine, nonalcoholic mixer-type
 69 beverages (not to include fruit juices produced outside this
 70 state), fruit juices produced in this state, home bar, and party
 71 supplies and equipment (including but not limited to glassware
 72 and party-type foods), miniatures of no alcoholic content, and
 73 tobacco products. Such places of business shall have no openings
 74 permitting direct access to any other building or room, except
 75 to a private office or storage room of the place of business

76 | from which patrons are excluded.

77 | (2) (a) A vendor licensed under s. 565.02(1) (a) may not in
78 | such place of business sell, offer, or expose for sale any
79 | merchandise other than such beverages, and such place of
80 | business shall be devoted exclusively to such sales; however,
81 | such vendor may sell bitters, grenadine, nonalcoholic mixer-type
82 | beverages (not to include fruit juices produced outside this
83 | state), fruit juices produced in this state, home bar, party
84 | supplies and equipment (including, but not limited to, glassware
85 | and party-type foods), miniatures of no alcoholic content, and
86 | tobacco products. Such place of business may not have openings
87 | permitting direct access to any other building or room, except
88 | to a private office or storage room of the place of business
89 | from which patrons are excluded.

90 | (b) Paragraph (a) does not apply to a vendor:

91 | 1. After July 1, 2018:

92 | a. At the vendor's place of business if the vendor has
93 | only one place of business.

94 | b. At 25 percent of the vendor's places of business if the
95 | vendor has an interest, directly or indirectly, in more than one
96 | place of business;

97 | 2. After July 1, 2019, at two of the vendor's places of
98 | business, or, if the vendor has an interest, directly or
99 | indirectly, in two or more places of business, 50 percent of the
100 | vendor's places of business; and

101 3. After July 1, 2020, at three of the vendor's places of
102 business, or, if the vendor has an interest in three or more
103 places of business, 75 percent of the vendor's places of
104 business.

105
106 If the percentage of the vendor's places of business results in
107 a fraction of 0.50 or more, the number of the vendor's places of
108 business at which paragraph (a) does not apply shall be
109 increased to the next greater whole number. A vendor licensed
110 under s. 565.02(1)(a) must notify the Division of Alcoholic
111 Beverages and Tobacco, in writing, of the places of business to
112 which paragraph (a) will not apply.

113 (c) This subsection expires June 30, 2021.

114 (3)(a) A vendor licensed under s. 565.02(1)(a) may not in
115 such place of business sell, offer, or expose for sale distilled
116 spirits in containers of 200 milliliters or less or 6.8 ounces
117 or less except from a restricted area where access is restricted
118 to the vendor or employees of such vendor.

119 (b) Paragraph (a) does not apply to a vendor's place of
120 business if such place of business is devoted exclusively to the
121 sale of alcoholic beverages; however, such vendor at such place
122 of business may sell bitters, grenadine, nonalcoholic mixer-type
123 beverages (not to include fruit juices produced outside this
124 state), fruit juices produced in this state, home bar, party
125 supplies and equipment (including, but not limited to, glassware

126 | and party-type foods), miniatures of no alcoholic content, and
127 | tobacco products. Such place of business may not have openings
128 | permitting direct access to any other building or room, except
129 | to a private office or storage room of the place of business
130 | from which patrons are excluded.

131 | Section 3. This act shall take effect July 1, 2017.