An act relating to vendors licensed under the Beverage Law; amending s. 562.13, F.S.; revising applicability to specify circumstances under which persons under the age of 18 years who are employed in specified businesses are excluded from certain employment prohibitions; providing that failure to comply with a restriction on monthly revenue from the sale of alcoholic beverages is unlawful if a minor is employed during a month that the restriction is exceeded; amending s. 565.04, F.S.; limiting the package store restrictions to vendors located within a certain distance of a school; providing an exception for current licenses with some restrictions; providing applicability; providing an expiration date; providing a restriction on the sale of distilled spirits below the specified container sizes; prohibiting the issuance of a package store license for specified locations or businesses; providing an exception; providing an effective date.

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

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

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

(2) This section shall not apply to:

(c) Persons under the age of 18 years who are employed in a
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30 retail drugstore drugstores, grocery store stores, department
31 store stores, florist shop florists, specialty gift shop shops,
or automobile service station whose license fees are specified
32 in s. 563.02(1), s. 564.02(1), or s. 565.02(1)(a), if such
33 vendor derives 30 percent or less of its monthly gross revenue
34 from sales of alcoholic beverages. This exception applies only
35 if the minor employees are supervised by a person 18 years of
36 age or older who verifies that any purchaser of alcoholic
37 beverages is 21 years of age or older and who approves the sale
38 of alcoholic beverages to such purchaser. Failure to comply with
39 the restriction on monthly revenue from the sale of alcoholic
40 beverages is unlawful if a person under the age of 18 years is
41 employed in the licensed premises during a month that the
42 restriction is exceeded stations which have obtained licenses to
43 sell beer or beer and wine, when such sales are made for
44 consumption off the premises.
45
46 However, a minor to whom this subsection otherwise applies may
47 not be employed if the employment, whether as a professional
48 entertainer or otherwise, involves nudity, as defined in s.
49 847.001, on the part of the minor and such nudity is intended as
50 a form of adult entertainment.

Section 2. Subsection (1) of section 565.04, Florida
53 Statutes, is amended, present subsection (2) of that section is
54 redesignated as subsection (5), and a new subsection (2) and
55 subsections (3) and (4) are added to that section, to read:
56 565.04 Package store restrictions.—
57 (1)(a) The division may not issue a license under s.
58 565.02(1)(a) for any location or business located within 1,000

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CODING: Words stricken are deletions; words underlined are additions.
feet of a public or private elementary school, middle school, or secondary school.

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

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

(b) Paragraph (a) does not apply to a vendor:
   1. After July 1, 2018:
      a. At the vendor’s place of business if the vendor has only
         one place of business.
      b. At 25 percent of the vendor’s places of business if the
         vendor has an interest, directly or indirectly, in more than one
         place of business;
   2. After July 1, 2019, at two of the vendor’s places of
      business, or, if the vendor has an interest, directly or
      indirectly, in two or more places of business, 50 percent of the
      vendor’s places of business; and
   3. After July 1, 2020, at three of the vendor’s places of
      business, or, if the vendor has an interest in three or more
      places of business, 75 percent of the vendor’s places of
      business.

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

 (c) This subsection expires June 30, 2021.

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

(b) Paragraph (a) does not apply to a vendor’s place of
business if such place of business is devoted exclusively to the
sale of alcoholic beverages; however, such vendor at such place
of business may sell bitters, grenadine, nonalcoholic mixer-type
beverages (not to include fruit juices produced outside this
state), fruit juices produced in this state, home bar, party
supplies and equipment (including, but not limited to, glassware
and party-type foods), miniatures of no alcoholic content, and
tobacco products. Such place of business may not have openings
permitting direct access to any other building or room, except
to a private office or storage room of the place of business
from which patrons are excluded.

(4) The division may not issue a license under s.
565.02(1)(a) for any location or business that includes a
gasoline service station or a motor fuel retail outlet, as
defined in s. 526.303(14), unless the location of the premises
consists of a minimum of 10,000 square feet of retail space for
the general public.

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