

Committee on Regulated Industries

CS/CS/CS/HB 689 — Division of Alcoholic Beverages and Tobacco

by Commerce Committee; Ways and Means Committee; Careers and Competition Subcommittee; and Rep. Burton (CS/CS/SB 400 by Appropriations Committee; Regulated Industries Committee; and Senator Perry)

The bill:

- Provides Select Exempt Service status to the following employees of the Division of Alcoholic Beverages and Tobacco (division) in the Department of Business and Professional Regulation (DBPR): chiefs, assistant chiefs, regional managers (including majors), and district and office managers (including captains).
- Adds the Agency for Health Care Administration as one of the agencies from which an applicant for an alcoholic beverage license for consumption on premises must obtain a certificate that the applicant's place of business meets all sanitary requirements.

Existing law requires a caterer licensed to sell beer, wine, and distilled spirits must derive at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages. The bill provides the percentage is based on a caterer's "gross food and nonalcoholic beverage revenue" instead of "gross revenue." A caterer must comply with the 51 percent requirement for each catered event.

Regarding a caterer's license to sell beer, wine and, distilled spirits, the bill expands the types of records that must be maintained to demonstrate compliance with its license. It requires a caterer maintain all records and receipts for each catered event, including all contracts, customers' names, locations, dates, food purchases and sales, alcoholic beverage purchases and sales, nonalcoholic beverage purchases and sales, and any other records required by rule of the DBPR.

The bill amends CS/CS/SB 106, to permit the employment of persons under the age of 18 (minors) in a retail drug stores, grocery stores, department stores, florist shops, specialty gift shops, or automobile service stations that are licensed as a package store. To employ a minor, those vendors must derive 30 percent or less of their monthly gross revenue from the sale of alcoholic beverages and may employ a minor to sell distilled spirits only if the minor is supervised by a person 18 years of age or older who verifies the purchaser's age to be 21 years of age or older and approves the sale of distilled spirits. The bill removes the supervision and verification requirement in CS/CS/SB 106 for sales of beer and wine by a minor.

The bill maintains current law permitting minors to be employed by vendors licensed to sell beer or beer and wine, when such sales are only for off premises consumption. Current law does not impose a supervision or verification requirement as to minors employed by licensees selling only beer or beer and wine.

Additionally, bill also:

- Repeals the fee for a temporary license issued in connection with an application to transfer an alcoholic beverage to the purchaser of a licensed business or to change the type or series of a license;
- Revises the definition of “wine” to include “sake” which is a Japanese alcoholic beverage made of fermented rice; and
- Reduces the annual license tax for a craft distillery from \$4,000 to \$1,000.

If approved by the Governor, these provisions take effect July 1, 2017.

Vote: Senate 34-0; House 115-0