

By Senator Margolis

35-00497A-16

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1                   A bill to be entitled  
2           An act relating to alcoholic beverages; creating s.  
3           562.63, F.S.; defining the term "powdered alcohol";  
4           prohibiting the sale, offer for sale, purchase, use,  
5           offer for use, or possession of powdered alcohol;  
6           providing penalties; providing an exemption for the  
7           use of powdered alcohol by specified entities for  
8           research purposes; providing an exemption for the  
9           possession of powdered alcohol solely for the purpose  
10          of transportation through this state by specified  
11          entities; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Section 562.63, Florida Statutes, is created to  
16 read:

17           562.63 Powdered alcohol; prohibited sale, offer for sale,  
18 purchase, use, offer for use, or possession.—

19           (1) As used in this section, the term "powdered alcohol"  
20 means alcohol prepared in a powdered form for either direct use  
21 or consumption after the powder is combined with a liquid.

22           (2) A person may not sell, offer for sale, purchase, use,  
23 offer for use, or possess powdered alcohol.

24           (3) A vendor licensed under s. 565.02(1)(a)-(f) may not  
25 sell or offer for sale powdered alcohol.

26           (4) (a) A person who violates this section by selling or  
27 offering for sale powdered alcohol commits a misdemeanor of the  
28 first degree, punishable as provided in s. 775.082 or s.  
29 775.083.

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30       (b) A person who violates this section by purchasing,  
31 using, offering for use, or possessing powdered alcohol commits  
32 a noncriminal violation, punishable by a fine of \$250.

33       (5) This section does not apply to the use of powdered  
34 alcohol for research purposes by a:

35       (a) Health care provider that operates primarily for the  
36 purpose of conducting scientific research;

37       (b) State institution;

38       (c) State university or private college or university; or

39       (d) Pharmaceutical or biotechnology company.

40       (6) This section does not apply to the possession of  
41 powdered alcohol solely for the purpose of transportation  
42 through this state by a licensed manufacturer or a common  
43 carrier on behalf of a licensed manufacturer.

44       Section 2. This act shall take effect July 1, 2016.