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1                   A bill to be entitled  
2     An act relating to alcoholic beverages and tobacco;  
3     amending s. 210.13, F.S.; revising applicability to  
4     include other persons who may be subject to a  
5     determination of tax on failure to file and return;  
6     amending s. 218.32, F.S.; requiring local governmental  
7     entities to include revenues derived from the use of  
8     temporary alcoholic beverage permits in annual  
9     financial reports; amending s. 561.01, F.S.; defining  
10    the term "railroad transit station"; amending s.  
11    561.20, F.S.; providing that a license must be revoked  
12    or a pending application must be denied under certain  
13    circumstances; providing that certain licensees or  
14    applicants are not eligible to have an interest in a  
15    subsequent license under certain circumstances for a  
16    specified timeframe; amending s. 561.29, F.S.;  
17    requiring the division to grant a one-time written  
18    waiver or extension of certain requirements to  
19    specified licensees; revising the circumstances under  
20    which a licensee may seek and the division may grant a  
21    waiver or extension of the requirements; creating s.  
22    561.4205, F.S.; requiring an alcoholic beverage  
23    distributor to charge a deposit for certain alcoholic  
24    beverage sales; providing an inventory and  
25    reconciliation process as an accounting alternative  
26    for specified vendors; providing an inventory and  
27    reconciliation process for malt beverage kegs;  
28    amending s. 561.422, F.S.; authorizing the division to  
29    issue temporary permits to municipalities and counties

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30 to sell alcoholic beverages for consumption on the  
31 premises of an event; authorizing the director of the  
32 division to issue more than three permits per calendar  
33 year under certain circumstances; providing conditions  
34 for such permits; requiring certain municipalities and  
35 counties to properly store and secure unconsumed  
36 alcoholic beverages; amending s. 563.06, F.S.;  
37 revising requirements for certain vendors to be  
38 authorized to fill or refill a growler; amending s.  
39 565.02, F.S.; authorizing vendors in railroad transit  
40 stations to obtain licenses to keep and sell alcoholic  
41 beverages; prohibiting a municipality or county from  
42 requiring an additional license or levying a tax to  
43 sell certain beverages; revising the locations where  
44 certain beverages may be sold; providing liquor bottle  
45 size restrictions for railroad transit stations;  
46 prohibiting the transfer of certain licenses;  
47 requiring operators of railroads and sleeping cars to  
48 keep separate certain alcoholic beverages; amending s.  
49 565.04, F.S.; authorizing a licensed distributor to  
50 transport alcoholic beverages through certain premises  
51 under specified circumstances; providing an effective  
52 date.

53  
54 Be It Enacted by the Legislature of the State of Florida:

55  
56 Section 1. Section 210.13, Florida Statutes, is amended to  
57 read:

58 210.13 Determination of tax on failure to file a return.—If

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59 a dealer or other person required to remit the tax under this  
60 part fails to file any return required under this part, or  
61 having filed an incorrect or insufficient return, fails to file  
62 a correct or sufficient return, as the case may require, within  
63 10 days after the giving of notice to the dealer by the Division  
64 of Alcoholic Beverages and Tobacco that such return or corrected  
65 or sufficient return is required, the division shall determine  
66 the amount of tax due by such dealer any time within 3 years  
67 after the making of the earliest sale included in such  
68 determination and give written notice of such determination to  
69 such dealer. Such a determination shall finally and irrevocably  
70 fix the tax unless the dealer against whom it is assessed shall,  
71 within 30 days after the giving of notice of such determination,  
72 apply to the division for a hearing. Judicial review shall not  
73 be granted unless the amount of tax stated in the decision, with  
74 penalties thereon, if any, shall have been first deposited with  
75 the division, and an undertaking or bond filed in the court in  
76 which such cause may be pending in such amount and with such  
77 sureties as the court shall approve, conditioned that if such  
78 proceeding be dismissed or the decision of the division  
79 confirmed, the applicant for review will pay all costs and  
80 charges which may accrue against the applicant in the  
81 prosecution of the proceeding. At the option of the applicant,  
82 such undertaking or bond may be in an additional sum sufficient  
83 to cover the tax, penalties, costs, and charges aforesaid, in  
84 which event the applicant shall not be required to pay such tax  
85 and penalties precedent to the granting of such review by such  
86 court.

87 Section 2. Paragraph (a) of subsection (1) of section

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88 218.32, Florida Statutes, is amended to read:

89 218.32 Annual financial reports; local governmental  
90 entities.—

91 (1) (a) Each local governmental entity that is determined to  
92 be a reporting entity, as defined by generally accepted  
93 accounting principles, and each independent special district as  
94 defined in s. 189.012, shall submit to the department a copy of  
95 its annual financial report for the previous fiscal year in a  
96 format prescribed by the department. The annual financial report  
97 must include a list of each local governmental entity included  
98 in the report and each local governmental entity that failed to  
99 provide financial information as required by paragraph (b). The  
100 annual financial report must also include all revenues derived  
101 from the use of temporary permits obtained by a reporting entity  
102 pursuant to s. 561.422. The chair of the governing body and the  
103 chief financial officer of each local governmental entity shall  
104 sign the annual financial report submitted pursuant to this  
105 subsection attesting to the accuracy of the information included  
106 in the report. The county annual financial report must be a  
107 single document that covers each county agency.

108 Section 3. Subsection (22) is added to section 561.01,  
109 Florida Statutes, to read:

110 561.01 Definitions.—As used in the Beverage Law:

111 (22) "Railroad transit station" means a platform or a  
112 terminal facility where passenger trains operating on a guided  
113 rail system according to a fixed schedule between two or more  
114 cities regularly stop to load and unload passengers or goods.  
115 The term includes a passenger waiting lounge and dining, retail,  
116 entertainment, or recreational facilities within the licensed

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117 premises owned or leased by the railroad operator or owner.

118 Section 4. Paragraph (a) of subsection (2) of section  
119 561.20, Florida Statutes, is amended to read:

120 561.20 Limitation upon number of licenses issued.—

121 (2) (a) The ~~No such~~ limitation of the number of licenses as  
122 ~~herein~~ provided in this section does not ~~shall henceforth~~  
123 prohibit the issuance of a special license to:

124 1. Any bona fide hotel, motel, or motor court of not fewer  
125 than 80 guest rooms in any county having a population of less  
126 than 50,000 residents, and of not fewer than 100 guest rooms in  
127 any county having a population of 50,000 residents or greater;  
128 or any bona fide hotel or motel located in a historic structure,  
129 as defined in s. 561.01(21), with fewer than 100 guest rooms  
130 which derives at least 51 percent of its gross revenue from the  
131 rental of hotel or motel rooms, which is licensed as a public  
132 lodging establishment by the Division of Hotels and Restaurants;  
133 provided, however, that a bona fide hotel or motel with no fewer  
134 than 10 and no more than 25 guest rooms which is a historic  
135 structure, as defined in s. 561.01(21), in a municipality that  
136 on the effective date of this act has a population, according to  
137 the University of Florida's Bureau of Economic and Business  
138 Research Estimates of Population for 1998, of no fewer than  
139 25,000 and no more than 35,000 residents and that is within a  
140 constitutionally chartered county may be issued a special  
141 license. This special license shall allow the sale and  
142 consumption of alcoholic beverages only on the licensed premises  
143 of the hotel or motel. In addition, the hotel or motel must  
144 derive at least 60 percent of its gross revenue from the rental  
145 of hotel or motel rooms and the sale of food and nonalcoholic

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146 beverages; provided that the provisions of this subparagraph  
147 shall supersede local laws requiring a greater number of hotel  
148 rooms;

149 2. Any condominium accommodation of which no fewer than 100  
150 condominium units are wholly rentable to transients and which is  
151 licensed under the provisions of chapter 509, except that the  
152 license shall be issued only to the person or corporation which  
153 operates the hotel or motel operation and not to the association  
154 of condominium owners;

155 3. Any condominium accommodation of which no fewer than 50  
156 condominium units are wholly rentable to transients, which is  
157 licensed under the provisions of chapter 509, and which is  
158 located in any county having home rule under s. 10 or s. 11,  
159 Art. VIII of the State Constitution of 1885, as amended, and  
160 incorporated by reference in s. 6(e), Art. VIII of the State  
161 Constitution, except that the license shall be issued only to  
162 the person or corporation which operates the hotel or motel  
163 operation and not to the association of condominium owners;

164 4. Any food service establishment that has ~~restaurant~~  
165 ~~having~~ 2,500 square feet of service area, is ~~and~~ equipped to  
166 serve meals to 150 persons ~~full-course meals at tables~~ at one  
167 time, and that derives ~~deriving~~ at least 51 percent of its gross  
168 food and beverage revenue from the sale of food and nonalcoholic  
169 beverages during the first 60-day operating period and each 12-  
170 month operating period thereafter. ~~;~~ ~~However,~~ A food service  
171 establishment ~~no restaurant~~ granted a special license on or  
172 after January 1, 1958, pursuant to general or special law may  
173 not ~~shall~~ operate as a package store and may not sell, ~~nor shall~~  
174 intoxicating beverages ~~be sold~~ under such license after the

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175 hours of serving or consumption of food have elapsed. Failure by  
176 a licensee to meet the required percentage of food and  
177 nonalcoholic beverage gross revenues during the covered  
178 operating period shall result in revocation of the license or  
179 denial of the pending license application. A licensee whose  
180 license is revoked or an applicant whose pending application is  
181 denied, or any person required to qualify on the special license  
182 application, is ineligible to have any interest in a subsequent  
183 application for such a license for a period of 120 days after  
184 the date of the final denial or revocation; or

185       5. Any caterer, deriving at least 51 percent of its gross  
186 revenue from the sale of food and nonalcoholic beverages,  
187 licensed by the Division of Hotels and Restaurants under chapter  
188 509. Notwithstanding any other provision of law to the contrary,  
189 a licensee under this subparagraph shall sell or serve alcoholic  
190 beverages only for consumption on the premises of a catered  
191 event at which the licensee is also providing prepared food, and  
192 shall prominently display its license at any catered event at  
193 which the caterer is selling or serving alcoholic beverages. A  
194 licensee under this subparagraph shall purchase all alcoholic  
195 beverages it sells or serves at a catered event from a vendor  
196 licensed under s. 563.02(1), s. 564.02(1), or licensed under s.  
197 565.02(1) subject to the limitation imposed in subsection (1),  
198 as appropriate. A licensee under this subparagraph may not store  
199 any alcoholic beverages to be sold or served at a catered event.  
200 Any alcoholic beverages purchased by a licensee under this  
201 subparagraph for a catered event that are not used at that event  
202 must remain with the customer; provided that if the vendor  
203 accepts unopened alcoholic beverages, the licensee may return

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204 such alcoholic beverages to the vendor for a credit or  
205 reimbursement. Regardless of the county or counties in which the  
206 licensee operates, a licensee under this subparagraph shall pay  
207 the annual state license tax set forth in s. 565.02(1)(b). A  
208 licensee under this subparagraph must maintain for a period of 3  
209 years all records required by the department by rule to  
210 demonstrate compliance with the requirements of this  
211 subparagraph, including licensed vendor receipts for the  
212 purchase of alcoholic beverages and records identifying each  
213 customer and the location and date of each catered event.  
214 Notwithstanding any provision of law to the contrary, any vendor  
215 licensed under s. 565.02(1) subject to the limitation imposed in  
216 subsection (1), may, without any additional licensure under this  
217 subparagraph, serve or sell alcoholic beverages for consumption  
218 on the premises of a catered event at which prepared food is  
219 provided by a caterer licensed under chapter 509. If a licensee  
220 under this subparagraph also possesses any other license under  
221 the Beverage Law, the license issued under this subparagraph  
222 shall not authorize the holder to conduct activities on the  
223 premises to which the other license or licenses apply that would  
224 otherwise be prohibited by the terms of that license or the  
225 Beverage Law. Nothing in this section shall permit the licensee  
226 to conduct activities that are otherwise prohibited by the  
227 Beverage Law or local law. The Division of Alcoholic Beverages  
228 and Tobacco is hereby authorized to adopt rules to administer  
229 the license created in this subparagraph, to include rules  
230 governing licensure, recordkeeping, and enforcement. The first  
231 \$300,000 in fees collected by the division each fiscal year  
232 pursuant to this subparagraph shall be deposited in the

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233 Department of Children and Families' Operations and Maintenance  
234 Trust Fund to be used only for alcohol and drug abuse education,  
235 treatment, and prevention programs. The remainder of the fees  
236 collected shall be deposited into the Hotel and Restaurant Trust  
237 Fund created pursuant to s. 509.072.

238

239 However, any license heretofore issued to any such hotel, motel,  
240 motor court, or restaurant or hereafter issued to any such  
241 hotel, motel, or motor court, including a condominium  
242 accommodation, under the general law shall not be moved to a new  
243 location, such license being valid only on the premises of such  
244 hotel, motel, motor court, or restaurant. Licenses issued to  
245 hotels, motels, motor courts, or restaurants under the general  
246 law and held by such hotels, motels, motor courts, or  
247 restaurants on May 24, 1947, shall be counted in the quota  
248 limitation contained in subsection (1). Any license issued for  
249 any hotel, motel, or motor court under the provisions of this  
250 law shall be issued only to the owner of the hotel, motel, or  
251 motor court or, in the event the hotel, motel, or motor court is  
252 leased, to the lessee of the hotel, motel, or motor court; and  
253 the license shall remain in the name of the owner or lessee so  
254 long as the license is in existence. Any special license now in  
255 existence heretofore issued under the provisions of this law  
256 cannot be renewed except in the name of the owner of the hotel,  
257 motel, motor court, or restaurant or, in the event the hotel,  
258 motel, motor court, or restaurant is leased, in the name of the  
259 lessee of the hotel, motel, motor court, or restaurant in which  
260 the license is located and must remain in the name of the owner  
261 or lessee so long as the license is in existence. Any license

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262 issued under this section shall be marked "Special," and nothing  
263 herein provided shall limit, restrict, or prevent the issuance  
264 of a special license for any restaurant or motel which shall  
265 hereafter meet the requirements of the law existing immediately  
266 prior to the effective date of this act, if construction of such  
267 restaurant has commenced prior to the effective date of this act  
268 and is completed within 30 days thereafter, or if an application  
269 is on file for such special license at the time this act takes  
270 effect; and any such licenses issued under this proviso may be  
271 annually renewed as now provided by law. Nothing herein prevents  
272 an application for transfer of a license to a bona fide  
273 purchaser of any hotel, motel, motor court, or restaurant by the  
274 purchaser of such facility or the transfer of such license  
275 pursuant to law.

276 Section 5. Paragraphs (h) and (i) of subsection (1) of  
277 section 561.29, Florida Statutes, are amended to read:

278 561.29 Revocation and suspension of license; power to  
279 subpoena.—

280 (1) The division is given full power and authority to  
281 revoke or suspend the license of any person holding a license  
282 under the Beverage Law, when it is determined or found by the  
283 division upon sufficient cause appearing of:

284 (h) Failure by the holder of any license under s. 561.20(1)  
285 to maintain the licensed premises in an active manner in which  
286 the licensed premises are open for the bona fide sale of  
287 authorized alcoholic beverages during regular business hours of  
288 at least 6 hours a day for a period of 120 days or more during  
289 any 12-month period commencing 18 months after the acquisition  
290 of the license by the licensee, regardless of the date the

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291 license was originally issued. Every licensee must notify the  
292 division in writing of any period during which his or her  
293 license is inactive and place the physical license with the  
294 division to be held in an inactive status. ~~The division may~~  
295 ~~waive or extend the requirement of this section upon the finding~~  
296 ~~of hardship, including the purchase of the license in order to~~  
297 ~~transfer it to a newly constructed or remodeled location.~~  
298 ~~However, during such closed period, the licensee shall make~~  
299 ~~reasonable efforts toward restoring the license to active~~  
300 ~~status.~~ This paragraph applies ~~shall apply~~ to all annual license  
301 periods commencing on or after July 1, 1981, but does ~~shall~~ not  
302 apply to licenses issued after September 30, 1988. The division  
303 shall, upon written request of the licensee, grant a one-time  
304 written waiver or extension of the requirements of this  
305 paragraph for a period not to exceed 12 months. Additionally,  
306 the division may, upon written request of the licensee, grant a  
307 waiver or extension of the requirements of this paragraph for a  
308 period not to exceed 12 months if the licensee demonstrates  
309 that:

- 310 1. The licensed premises has been physically damaged to  
311 such an extent that active operation of the business at the  
312 premises is impracticable;
- 313 2. Construction or remodeling is underway to relocate the  
314 license to another location;
- 315 3. The licensed premises has been prohibited from making  
316 sales as the result of any order of any court of competent  
317 jurisdiction, or any action or inaction of a local governmental  
318 entity relating to the permitting, construction, or occupational  
319 capacity of the physical location of the licensed premises.

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320 (i) Failure of any licensee issued a new or transfer  
321 license after September 30, 1988, under s. 561.20(1) to maintain  
322 the licensed premises in an active manner in which the licensed  
323 premises are open for business to the public for the bona fide  
324 retail sale of authorized alcoholic beverages during regular and  
325 reasonable business hours for at least 8 hours a day for a  
326 period of 210 days or more during any 12-month period commencing  
327 6 months after the acquisition of the license by the licensee.  
328 It is the intent of this act that for purposes of compliance  
329 with this paragraph, a licensee shall operate the licensed  
330 premises in a manner so as to maximize sales and tax revenues  
331 thereon; this includes maintaining a reasonable inventory of  
332 merchandise, including authorized alcoholic beverages, and the  
333 use of good business practices to achieve the intent of this  
334 law. Any attempt by a licensee to circumvent the intent of this  
335 law shall be grounds for revocation or suspension of the  
336 alcoholic beverage license. ~~The division may, upon written~~  
337 ~~request of the licensee, give a written waiver of this~~  
338 ~~requirement for a period not to exceed 12 months in cases where~~  
339 ~~the licensee demonstrates that the licensed premises has been~~  
340 ~~physically destroyed through no fault of the licensee, when the~~  
341 ~~licensee has suffered an incapacitating illness or injury which~~  
342 ~~is likely to be prolonged, or when the licensed premises has~~  
343 ~~been prohibited from making sales as a result of any action of~~  
344 ~~any court of competent jurisdiction. Any waiver given pursuant~~  
345 ~~to this subsection may be continued upon subsequent written~~  
346 ~~request showing that substantial progress has been made toward~~  
347 ~~restoring the licensed premises to a condition suitable for the~~  
348 ~~resumption of sales or toward allowing for a court having~~

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349 ~~jurisdiction over the premises to release said jurisdiction, or~~  
350 ~~that an incapacitating illness or injury continues to exist.~~  
351 ~~However, in no event may the waivers necessitated by any one~~  
352 ~~occurrence cumulatively total more than 24 months. Every A~~  
353 licensee shall notify the division in writing of any period  
354 during which his or her license is inactive and place the  
355 physical license with the division to be held in an inactive  
356 status. For the purpose of calculating compliance with the  
357 requirements of this paragraph, a license that is acquired in a  
358 transaction that is not an arm's length transaction, including  
359 transfers from relatives, affiliates, subsidiaries, and other  
360 related entities, retains and is subject to the first related  
361 transferor's date of acquisition and related periods of  
362 operation. The division shall, upon written request of the  
363 licensee, grant a one-time written waiver or extension of the  
364 requirements of this paragraph for a period not to exceed 12  
365 months. Additionally, the division may, upon written request of  
366 the licensee, grant a waiver or extension of the requirements of  
367 this paragraph for a period not to exceed 12 months if the  
368 licensee demonstrates that:

- 369 1. The licensed premises has been physically damaged to  
370 such an extent that active operation of the business at the  
371 premises is impracticable;  
372 2. Construction or remodeling is underway to relocate the  
373 license to another location;  
374 3. The licensed premises has been prohibited from making  
375 sales as the result of any order of any court of competent  
376 jurisdiction, or any action or inaction of a local governmental  
377 entity relating to the permitting, construction, or occupational

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378 capacity of the physical location of the licensed premises.

379 Section 6. Section 561.4205, Florida Statutes, is created  
380 to read:

381 561.4205 Keg deposits; limited alternative inventory and  
382 reconciliation process.-

383 (1) A distributor selling an alcoholic beverage to a vendor  
384 in bulk, by recyclable keg or other similar reusable container,  
385 for the purpose of sale in draft form on tap, must charge the  
386 vendor a deposit, to be referred to as a "keg deposit," in an  
387 amount not less than that charged to the distributor by the  
388 manufacturer for each keg or container of the beverage sold. The  
389 deposit amount charged to a vendor for a draft keg or container  
390 of a like brand must be uniform. Charges made for deposits  
391 collected or credits allowed for empty kegs or containers  
392 returned must be shown separately on all sale tickets or  
393 invoices. A copy of such sales tickets or invoices must be given  
394 to the vendor at the time of delivery.

395 (2) In lieu of receiving a keg deposit, a distributor  
396 selling alcoholic beverages by recyclable keg or other similar  
397 reusable container for the purpose of sale in draft form to a  
398 vendor identified in s. 561.01(18) or s. 565.02(6) or (7) shall  
399 implement an inventory and reconciliation process with such  
400 vendor in which an accounting of kegs is completed and any loss  
401 or variance in the number of kegs is paid for by the vendor on a  
402 per-keg basis equivalent to the required keg deposit. This  
403 inventory and reconciliation process may occur twice per year,  
404 at the discretion of the distributor, but must occur at least  
405 annually. Upon completion of an agreed upon keg inventory and  
406 reconciliation, the vendor shall remit payment within 15 days

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407 after receiving an invoice from the distributor. The vendor may  
408 choose to establish and fund a separate account with the  
409 distributor for the purpose of expediting timely payments.

410 Section 7. Section 561.422, Florida Statutes, is amended to  
411 read:

412 561.422 Municipalities, counties, and nonprofit civic  
413 organizations; temporary permits.-

414 (1) Upon the filing of an application, presentation of a  
415 local building and zoning permit, and payment of a fee of \$25  
416 per permit, the director of the division may issue a permit  
417 authorizing a municipality, a county, or a ~~bona fide~~ nonprofit  
418 civic organization to sell alcoholic beverages for consumption  
419 on the premises of an event only, for a period not to exceed 3  
420 days, subject to any state law or municipal or county ordinance  
421 regulating the time for selling such beverages. All net profits  
422 from sales of alcoholic beverages collected during the permit  
423 period must be retained by the municipality, county, or  
424 nonprofit civic organization. Any such municipality, county, or  
425 nonprofit civic organization may be issued only three such  
426 permits per calendar year; however, the director of the division  
427 may issue more than three permits per calendar year to a  
428 municipality or county if such permits are for events that have  
429 been authorized by a majority vote of the governing body of the  
430 municipality or county at a duly noticed public meeting. The  
431 sworn application filed by a municipality or county for a  
432 temporary permit under this section must be signed by the chief  
433 executive officer of the municipality or county.

434 (2) Notwithstanding other provisions of the Beverage Law,  
435 any municipality, county, or nonprofit civic organization

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436 licensed under this section may purchase alcoholic beverages  
437 from a distributor or vendor licensed under the Beverage Law.

438 (3) All alcoholic beverages purchased for sale by a  
439 municipality or county which remain unconsumed after an event  
440 must be properly stored and secured by the municipality or  
441 county.

442 Section 8. Paragraph (a) of subsection (7) of section  
443 563.06, Florida Statutes, is amended to read:

444 563.06 Malt beverages; imprint on individual container;  
445 size of containers; exemptions.-

446 (7) Notwithstanding any other provision of the Beverage  
447 Law, a malt beverage may be packaged in a growler, which is an  
448 individual container that holds 32, 64, or 128 ounces of such  
449 malt beverage if it is filled at the point of sale.

450 (a) A growler may be filled or refilled by any of the  
451 following:

452 1. A licensed manufacturer of malt beverages holding a  
453 vendor's license under s. 561.221(2).

454 2. A vendor holding a quota license under s. 561.20(1) or  
455 s. 565.02(1)(a) which ~~that~~ authorizes the sale of malt  
456 beverages.

457 3. A vendor holding a license under s. 563.02(1)(b)-(f), s.  
458 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), if such licensed  
459 vendor receives a health inspection and certification under s.  
460 561.17(2) ~~unless such license restricts the sale of malt~~  
461 ~~beverages to sale for consumption only on the premises of such~~  
462 ~~vendor.~~

463 Section 9. Subsection (2) of section 565.02, Florida  
464 Statutes, is amended to read:

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465 565.02 License fees; vendors; clubs; caterers; and others.-

466 (2) Any operator of railroads or sleeping cars and any  
467 vendor in a railroad transit station in this state may obtain a  
468 license to keep for sale and sell the beverages mentioned in the  
469 Beverage Law ~~on passenger trains~~ upon the payment of an annual  
470 license tax of \$2,500, the tax to be paid to the division. A  
471 municipality or county may not require an additional license or  
472 levy a tax for the privilege of selling such beverages.

473 (a) Operators of railroads or sleeping cars in this state  
474 are authorized to ~~Such license shall authorize the holder~~  
475 ~~thereof to~~ keep for sale and sell all beverages mentioned in the  
476 Beverage Law for consumption upon any dining, club, parlor,  
477 buffet, or observation car of a passenger train in which  
478 certified copies of the licenses issued to the operators are  
479 posted. Certified copies of such licenses shall be issued by the  
480 division upon the payment of a fee of \$10 ~~operated by it in this~~  
481 ~~state, but such beverages may be sold only to passengers upon~~  
482 ~~the cars and must be served for consumption thereon. It is~~  
483 ~~unlawful for such licensees to purchase or sell any liquor~~  
484 ~~except in miniature bottles of not more than 2 ounces. Every~~  
485 ~~such license~~ for the sale of alcoholic beverages on a passenger  
486 train shall be good throughout the state. Except for alcoholic  
487 beverages sold within the licensed premises of a railroad  
488 transit station, it is unlawful for such licensees to purchase  
489 or sell any liquor on a passenger train except in miniature  
490 bottles of not more than 2 ounces ~~No license shall be required,~~  
491 ~~or tax levied by any municipality or county, for the privilege~~  
492 ~~of selling such beverages for consumption in such cars. Such~~  
493 ~~beverages shall be sold only on cars in which are posted~~

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494 ~~certified copies of the licenses issued to such operator. Such~~  
495 ~~certified copies of such licenses shall be issued by the~~  
496 ~~division upon the payment of a tax of \$10.~~

497 (b) Vendors in a railroad transit station are authorized to  
498 keep for sale and sell all beverages mentioned in the Beverage  
499 Law. Licenses issued to vendors in a railroad transit station  
500 may not be transferred to locations beyond the railroad transit  
501 station. The alcoholic beverages sold are for consumption on the  
502 licensed premises and may be consumed in all areas within the  
503 railroad transit station and on the passenger train. Operators  
504 of railroads and sleeping cars shall keep separate the alcoholic  
505 beverages intended for sale on passenger trains and the  
506 alcoholic beverages intended for sale in the railroad transit  
507 station.

508 Section 10. Section 565.04, Florida Statutes, is amended to  
509 read:

510 565.04 Package store restrictions.—

511 (1) Vendors licensed under s. 565.02(1)(a) shall not in  
512 said place of business sell, offer, or expose for sale any  
513 merchandise other than such beverages, and such places of  
514 business shall be devoted exclusively to such sales; provided,  
515 however, that such vendors shall be permitted to sell bitters,  
516 grenadine, nonalcoholic mixer-type beverages (not to include  
517 fruit juices produced outside this state), fruit juices produced  
518 in this state, home bar, and party supplies and equipment  
519 (including but not limited to glassware and party-type foods),  
520 miniatures of no alcoholic content, and tobacco products. Such  
521 places of business shall have no openings permitting direct  
522 access to any other building or room, except to a private office

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523 or storage room of the place of business from which patrons are  
524 excluded.

525 (2) Notwithstanding any other law, when delivering  
526 alcoholic beverages to a vendor licensed under s. 565.02(1)(a),  
527 a licensed distributor may transport the beverages through  
528 another premises owned in whole or in part by the vendor.

529 Section 11. This act shall take effect July 1, 2016.

530