

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Avila offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 19-48 and insert:

5 Section 1. Section 562.62, Florida Statutes, is created to
6 read:

7 562.62 Sale of powdered alcohol to consumers prohibited;
8 penalties.-

9 (1) A person may not sell or provide to a consumer an
10 alcoholic beverage that is intended for human consumption and is
11 in powdered form.

12 (2) A person who violates subsection (1) commits a
13 misdemeanor of the first degree, punishable as provided in s.
14 775.082 or s. 775.083. A person who violates subsection (1)

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15 after having been previously convicted of such an offense within
16 the past 5 years commits a felony of the third degree,
17 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

18 (3) A manufacturer licensed under the Beverage Law may
19 manufacture and possess an alcoholic beverage in a powdered
20 form. A licensed manufacturer may sell or otherwise transport
21 alcohol in a powdered form to a licensed manufacturer or
22 licensed distributor in this state, an entity authorized to
23 possess powdered alcohol pursuant to subsection (6), or an
24 entity in a jurisdiction outside of this state where the
25 possession of powdered alcohol is not prohibited under the laws
26 and regulations of that jurisdiction.

27 (4) A licensed manufacturer, its agent or employee, or a
28 common carrier acting on behalf of the licensed manufacturer,
29 may possess powdered alcohol in this state for transport into,
30 through, or out of the state. A licensed manufacturer may
31 purchase, acquire, or otherwise possess alcohol in a powdered
32 form. A licensed manufacturer may use powdered alcohol to
33 manufacture an alcoholic beverage that may be sold in this
34 state, so long as the alcoholic beverage is not sold or provided
35 to consumers in a powdered form.

36 (5) A licensed distributor may purchase or possess
37 powdered alcohol in this state, so long as the powdered alcohol
38 is not sold or provided to consumers or vendors in this state.

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39 (6) The following entities may possess and purchase
40 powdered alcohol in this state for purposes of conducting
41 academic or other research:

42 (a) A health care provider that operates primarily for the
43 purpose of conducting scientific research.

44 (b) A state institution.

45 (c) A state university or private college or university.

46 (d) A pharmaceutical or biotechnology company.

47 (7) This section is repealed July 1, 2017, unless reviewed
48 and saved from repeal by the Legislature.

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51 **T I T L E A M E N D M E N T**

52 Remove lines 3-11 and insert:

53 562.62, F.S.; prohibiting the sale or provision to
54 consumers of alcoholic beverages in powdered form;
55 providing penalties; authorizing the manufacture and
56 possession in the state, and the sale and
57 transportation, of powdered alcohol by licensed
58 manufacturers to specified entities; authorizing the
59 possession of powdered alcohol in the state by
60 specified entities for transport into, through, or out
61 of the state; authorizing the purchase or possession
62 of powdered alcohol in this state by licensed
63 distributors, with an exception; authorizing specified
64 entities conducting academic or other research to

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65 possess powered alcohol; providing for future
66 legislative review and repeal; amending s.

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