

By the Committee on Regulated Industries; and Senator Young

580-02002-18

20181020c1

1 A bill to be entitled
2 An act relating to alcohol deliveries; amending s.
3 561.57, F.S.; including an electronic order as a type
4 of order construed as a sale made at a vendor's
5 licensed place of business; authorizing a
6 manufacturer, distributor, or vendor to make certain
7 deliveries in vehicles that are under the licensee's
8 control and direction pursuant to a contract with a
9 third party; providing an effective date.

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

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13 Section 1. Subsections (1) and (2) of section 561.57,
14 Florida Statutes, are amended to read:

15 561.57 Deliveries by licensees.—

16 (1) Vendors shall be permitted to make deliveries away from
17 their places of business of sales actually made at the licensed
18 place of business; provided, telephone, electronic, or mail
19 orders received at a vendor's licensed place of business shall
20 be construed as a sale actually made at the vendor's licensed
21 place of business.

22 (2) Deliveries made by a manufacturer, distributor, or
23 vendor away from his or her place of business may be made only
24 in vehicles that ~~which~~ are owned or leased by the licensee or
25 that are under the licensee's control and direction pursuant to
26 a contract with a third party with whom the licensee has
27 contracted with to make deliveries, including, but not limited
28 to, common carriers. By acceptance of an alcoholic beverage
29 license and the use of such vehicles, the licensee agrees that

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30 such vehicle shall always be subject to be inspected and
31 searched without a search warrant, for the purpose of
32 ascertaining that all provisions of the alcoholic beverage laws
33 are complied with, by authorized employees of the division and
34 also by sheriffs, deputy sheriffs, and police officers during
35 business hours or other times the vehicle is being used to
36 transport or deliver alcoholic beverages.

37 Section 2. This act shall take effect July 1, 2018.