

**By** the Committees on Commerce and Tourism; and Regulated Industries; and Senators Young, Hutson, and Brandes

577-02324-18

20181020c2

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 a third-party vehicle under certain  
8           circumstances; requiring that the recipient's identity  
9           and age be verified and documented at the time of  
10          delivery; requiring that deliveries comply with s.  
11          562.11, F.S.; providing an effective date.

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

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15           Section 1. Subsections (1) and (2) of section 561.57,  
16 Florida Statutes, are amended, and subsection (6) is added to  
17 that section, to read:

18           561.57 Deliveries by licensees.—

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

25           (2) Deliveries made by a manufacturer, distributor, or  
26 vendor away from his or her place of business may be made only  
27 in vehicles that ~~which~~ are owned or leased by the licensee.  
28 Alternatively, such deliveries may be made in a third-party  
29 vehicle pursuant to a contract with a third party with whom the

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30 licensee has contracted to make deliveries, including, but not  
31 limited to, common carriers. Any ~~By acceptance of an alcoholic~~  
32 ~~beverage license and the use of such vehicles, The licensee~~  
33 ~~agrees that such vehicle~~ used to make such deliveries is shall  
34 ~~always be~~ subject to inspections and searches ~~be inspected and~~  
35 ~~searched~~ without a search warrant, for the purpose of  
36 ascertaining that all provisions of the alcoholic beverage laws  
37 are complied with, by authorized employees of the division and  
38 also by sheriffs, deputy sheriffs, and police officers when  
39 ~~during business hours or other times~~ the vehicle is being used  
40 to transport or deliver alcoholic beverages.

41 (6) Valid proof of the recipient's identity and age shall  
42 be verified and documented at the time of delivery. Deliveries  
43 made pursuant to this section must comply with s. 562.11.

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