

1 A bill to be entitled
 2 An act relating to the Beverage Law; amending s.
 3 561.57, F.S.; providing for electronic orders received
 4 at a vendor's licensed place of business to be
 5 construed as a sale actually made at the vendor's
 6 licensed place of business; authorizing a vendor to
 7 make certain deliveries in a third-party vehicle under
 8 certain circumstances; requiring that the recipient's
 9 identity and age be verified and documented at the
 10 time of delivery; requiring that deliveries comply
 11 with age requirements for selling, giving, or serving
 12 alcoholic beverages; providing an effective date.

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

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

19 561.57 Deliveries by licensees.—

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

26 | from his or her place of business may be made in vehicles that
27 | are owned or leased by the vendor or in a third-party vehicle
28 | pursuant to a contract with a third party with whom the vendor
29 | has contracted to make deliveries, including, but not limited
30 | to, common carriers. By acceptance of an alcoholic beverage
31 | license, the vendor agrees that vehicles that are owned or
32 | leased by the vendor shall always be subject to inspection and
33 | search without a search warrant for the purpose of ascertaining
34 | that all provisions of the alcoholic beverage laws are complied
35 | with by authorized employees of the division and also by
36 | sheriffs, deputy sheriffs, and police officers during business
37 | hours or other times the vehicle is being used to transport or
38 | deliver alcoholic beverages. A manufacturer possessing a
39 | vendor's license under s. 561.221(2) is not permitted to make
40 | deliveries under this subsection.

41 | (2) Deliveries made by a manufacturer, or distributor, ~~or~~
42 | ~~vendor~~ away from his or her place of business may be made only
43 | in vehicles ~~which~~ that are owned or leased by the licensee. By
44 | acceptance of an alcoholic beverage license and the use of such
45 | vehicles, the licensee agrees that such vehicle shall always be
46 | subject to be inspected and searched without a search warrant,
47 | for the purpose of ascertaining that all provisions of the
48 | alcoholic beverage laws are complied with, by authorized
49 | employees of the division and also by sheriffs, deputy sheriffs,
50 | and police officers during business hours or other times the

51 | vehicle is being used to transport or deliver alcoholic
52 | beverages.

53 | (6) Valid proof of the recipient's identity and age shall
54 | be verified and documented at the time of delivery. All
55 | deliveries made pursuant to this section, either by a licensee
56 | or third party, must comply with s. 562.11.

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