

ENROLLED

CS/HB 667

2018 Legislature

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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

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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

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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.