

1989

Session Law 89-248

Florida Senate & House of Representatives

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H 780 GENERAL BILL by Banjanin and others

Quota Alcoholic Beverage Licenses; revises language re such licenses issued in certain counties to provide that any restaurant located in specialty center built on governmentally owned land shall be subject to certain restrictions. Amends 561.20. Effective Date: 06/29/89.

03/14/89 HOUSE Prefiled
03/16/89 HOUSE Referred to Regulated Industries; Appropriations
03/21/89 HOUSE Subreferred to Subcommittee on Alcoholic Beverages
04/04/89 HOUSE Introduced, referred to Regulated Industries; Appropriations -HJ 76; Subreferred to Subcommittee on Alcoholic Beverages; On Committee agenda—Regulated Industries, 04/05/89, 1:15 pm, 212-HOB—For ratification to subcommittee
04/10/89 HOUSE On subcommittee agenda—Regulated Industries, 04/12/89, 1:15 pm, 24-HOB
04/12/89 HOUSE Subcommittee Recommendation: Favorable
04/13/89 HOUSE On Committee agenda—Regulated Industries, 04/17/89, 10:40 am, 214-C
04/18/89 HOUSE Preliminary Committee Action by Regulated Industries: Favorable
04/19/89 HOUSE Comm. Report: Favorable by Regulated Industries -HJ 249; Now in Appropriations -HJ 249; Subreferred to Subcommittee on General Government
05/18/89 HOUSE Withdrawn from Appropriations -HJ 530; Placed on Calendar
05/26/89 HOUSE Placed on Consent Calendar; Read second time; Read third time; Passed; YEAS 108 NAYS 1 -HJ 688
05/26/89 SENATE In Messages
05/30/89 SENATE Received, referred to Regulated Industries -SJ 562
06/01/89 SENATE Withdrawn from Regulated Industries -SJ 779; Placed on Consent Calendar -SJ 779; Passed; YEAS 33 NAYS 0 -SJ 779
06/01/89 Ordered enrolled
06/13/89 Signed by Officers and presented to Governor
06/29/89 Became Law without Governor's Signature; Chapter No. 89-248

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

AS PASSED BY THE 1989 LEGISLATURE

STORAGE NAME: \wp\sa\h0780-f.ri
DATE: June 15, 1989

HOUSE OF REPRESENTATIVES
COMMITTEE ON REGULATED INDUSTRIES
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 780

RELATING TO: Alcoholic Beverage Licenses

SPONSOR(S): Representatives Banjanin, Ritchie, and Tobiassen

EFFECTIVE DATE: Upon Becoming A Law

DATE BECAME LAW: June 29, 1989

CHAPTER #: 89-248, Laws of Florida

COMPANION BILL(S): None

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2)

I. SUMMARY:

House Bill 780 expands the definition of any restaurant located in a specialty center, as defined in s. 561.20(2)(b), F.S., from that built on municipally owned land to that built on governmentally owned land for purposes of obtaining special alcoholic beverage licenses.

A. PRESENT SITUATION:

Section 561.20(2)(b), F.S., defines a specialty center for purposes of quota alcoholic beverage license limitations:

A specialty center means any development having at least 50,000 square feet of leasable area, containing restaurants, entertainment facilities, and specialty shops, and located adjacent to a navigable water body. Alcoholic beverages sold for consumption on the premises by a vendor in a specialty center may be consumed within the specialty center but may not be removed from such premises.

Presently, the above section refers to any a specialty center built on municipally owned land. In such a center, patrons may walk within the center while consuming an alcoholic beverage rather than be confined to the restaurant in which the beverage was served. There are two centers in Florida which currently meet the definition of municipally owned specialty centers, one in Miami and one in Jacksonville.

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A specialty center located in Pensacola would like to provide patrons the opportunity to move within the center after purchase of alcoholic beverages. However, this center is county owned, not city owned, and leased. The center presently meets the other size and location requirements.

B. EFFECT OF PROPOSED CHANGES:

House Bill 780 expands the definition of any restaurant located in a specialty center, as defined in s. 561.20(2)(b), F.S., from that built on municipally owned land to that built on governmentally owned land for purposes of obtaining special alcoholic beverage licenses. The bill allows these developments built on governmentally owned land to qualify for special alcoholic beverage licenses. By changing the definition of the type of owned land, the law would expand the applicability of special licenses to more centers in Florida.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

III. LONG RANGE CONSEQUENCES:

By expanding the definition of the types of developments that can meet the requirements of specialty centers, this bill is consistent with the State Comprehensive Plan policy regarding the economy in s. 187.201(22)(b)12, F.S., to "encourage the development of a business climate that provides opportunities for the growth and expansion of existing state industries, particularly those industries which are compatible with Florida's environment."

IV. COMMENTS:

The Department of Business of Regulation has no position on this bill at this time.

House Bill 780 is consistent with the House of Representatives, Regulated Industries Committee Mission Statement to "reduce inappropriate and excessive alcohol consumption by encouraging alcohol use in the context of legitimate entertainment while discouraging beverage products tailored for a different market." The topic in this bill is not directly addressed in the House of Representatives Policy Statement.

Legislative History 1989 Session

A. Enacted Bill

HB 780 was prefiled by Representative Banjanin on March 14, 1989. On April 4, 1989, the bill was introduced and referred to the Committee on Regulated Industries and the Committee on Appropriations (HJ 00076).

On April 12, 1989, the Subcommittee on Alcoholic Beverages reported the bill favorably. The Committee on Regulated Industries considered the bill and voted it favorably as well on April 17, 1989. The bill was withdrawn from the Committee on Appropriations (HJ 00530) and placed on the calendar. On May 26,

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1989, the bill passed by a vote of 108-1 (HJ 00688). The bill was messaged to the Senate and referred to the Committee on Regulated Industries (SJ 00779) and subsequently withdrawn, placed on the calendar, and passed by a 33-0 vote on June 1, 1989, (SJ 00779). On June 13, 1989, the bill was signed by the Officers and presented to the Governor.

B. Disposition of Companion:

No companion.

V. SIGNATURES:

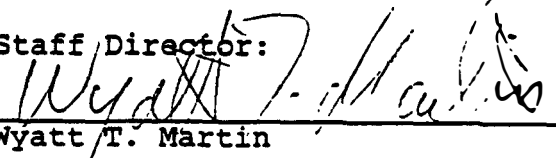
SUBSTANTIVE COMMITTEE:

Prepared by:



Maisy Alpert

Staff Director:



Wyatt T. Martin

SECOND COMMITTEE OF REFERENCE:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director: