

HB 823

2015

1                   A bill to be entitled  
2           An act relating to alcoholic beverages; creating s.  
3           562.63, F.S.; defining the term "powdered alcohol";  
4           prohibiting the sale, offer for sale, purchase, use,  
5           offer for use, or possession of powdered alcohol;  
6           providing penalties; providing an exemption for the  
7           use of powdered alcohol by specified entities for  
8           research purposes; providing an effective date.

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

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12           Section 1.   Section 562.63, Florida Statutes, is created to  
13   read:

14           562.63 Powdered alcohol; prohibited sale, offer for sale,  
15   purchase, use, offer for use, or possession.-

16           (1) As used in this section, the term "powdered alcohol"  
17   means alcohol prepared in a powdered form for either direct use  
18   or consumption after the powder is combined with a liquid.

19           (2) A person may not sell, offer for sale, purchase, use,  
20   offer for use, or possess powdered alcohol.

21           (3) A vendor licensed under s. 565.02(1)(a)-(f) may not  
22   sell or offer for sale powdered alcohol as an alcoholic  
23   beverage.

24           (4) (a) A person who violates this section by selling or  
25   offering for sale powdered alcohol commits a misdemeanor of the  
26   first degree, punishable as provided in s. 775.082 or s.

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27 775.083. A person who violates this section by selling or  
28 offering for sale powdered alcohol after having been previously  
29 convicted of such an offense within the past 5 years commits a  
30 felony of the third degree, punishable as provided in s.  
31 775.082, s. 775.083, or s. 775.084.

32 (b) A person who violates this section by purchasing,  
33 using, offering for use, or possessing powdered alcohol commits  
34 a noncriminal violation, punishable by a fine of \$250.

35 (5) This section does not apply to the use of powdered  
36 alcohol for research purposes by a:

37 (a) Health care provider that operates primarily for the  
38 purpose of conducting scientific research;

39 (b) State institution;

40 (c) State university or private college or university; or

41 (d) Pharmaceutical or biotechnology company.

42 Section 2. This act shall take effect July 1, 2015.