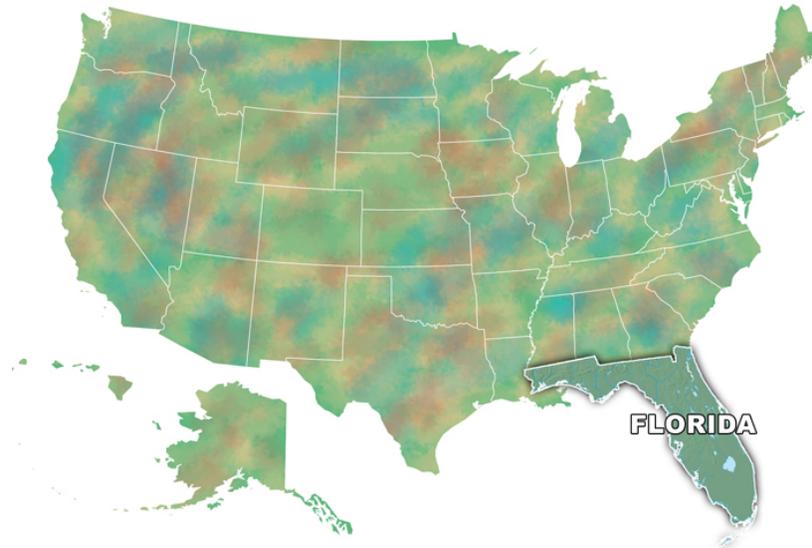


State Report

Florida

This document is excerpted from:

The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Florida

State Profile and Underage Drinking Facts*

State Population: 19,317,568
 Population Ages 12–20: 2,155,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	24.9	537,000
Past-Month Binge Alcohol Use	14.8	319,000
Ages 12–14		
Past-Month Alcohol Use	5.8	38,000
Past-Month Binge Alcohol Use	2.7	18,000
Ages 15–17		
Past-Month Alcohol Use	20.2	143,000
Past-Month Binge Alcohol Use	11.2	79,000
Ages 18–20		
Past-Month Alcohol Use	44.8	356,000
Past-Month Binge Alcohol Use	27.9	222,000
Alcohol-Attributable Deaths (under 21)		282
Years of Potential Life Lost (under 21)		16,951
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	16.0	51

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited—no explicit exceptions noted in the law.

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited and there is no allowance for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) targeting minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provision(s) targeting retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 18.

Type(s) of violation leading to driver’s license suspension, revocation, or denial

- Underage purchase
- Underage possession

Authority to impose driver’s license sanction

- Mandatory

Length of suspension/revocation

- Minimum: 180 days
- Maximum: 365 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 50 hours, of which 10 must be at night

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after 11 p.m. for 16-year-olds; after 1 a.m. for 17-year-olds
 - Primary enforcement of the night-driving rule
- No passenger restrictions

License stage

- Minimum age to lift restrictions: 18

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols

Age of decoy

- Minimum: 16
- Maximum: 19

Appearance requirements

- Obviously underage in appearance; no uniforms; dress based on community standards in target area
- Male: No facial hair
- Female: Hair and makeup should be age-appropriate; no revealing attire

ID possession

- Discretionary

Verbal exaggeration of age

- Prohibited

Decoy training

- Not specified

Penalty Guidelines for Sales to Minors

- Time period/conditions: Not specified
- First offense: \$1,000 and 7-day license suspension
- Second offense: \$3,000 and 30-day license suspension
- Third offense: License revocation

Responsible Beverage Service

Voluntary beverage service training

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets
- Mitigation of fines or other administrative penalties for sales to minors
- Protection against license revocation for sales to minors

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: 18

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- No distance limitation

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: No
 - On-premises outlets: Yes—within 500 feet. Local government has authority to override state restrictions.
 - Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Willful and unlawful furnishing to minor

Social Host Liability Laws

- There is no statutory liability.
- The courts recognize common law social host liability

Note: Common law liability rests on a violation of the criminal social host statute. The criminal social host statute prohibits an adult from allowing an open house party to take place at a residence he/she controls and knowingly allowing a minor to possess or consume alcohol at the residence and failing to take reasonable steps to prevent the possession or consumption of the alcoholic beverage.

Host Party Laws

Social host law is specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession, consumption
- Property type(s) covered by liability law: Residence

- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence
- Preventive action by the host negates the violation

Note: The “preventive action” provision in Florida requires the prosecution to prove that the host failed to take preventive action.

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are not permitted.

Note: Although current law suggests that direct shipments of alcoholic beverages are prohibited, the Florida Department of Business and Professional Regulation's informal policy allows out-of-state wineries to make direct shipments of wine to Florida consumers. Florida statutes that purport to ban direct shipments are not being enforced pursuant to a stipulation entered into by the state in a lawsuit challenging the constitutionality of the law (Fla. Stat. Ann. §§ 561.54, 561.545). For more information, see http://www.flsenate.gov/data/Publications/2006/Senate/reports/interim_reports/pdf/2006-146rilong.pdf

Keg Registration

Registration is not required.

Home Delivery

- Beer: Permitted
- Wine: Permitted
- Spirits: Permitted

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.48 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$2.25 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$6.50 per gallon

Additional taxes

- \$2.25 per gallon for alcohol content of less than 17.259 percent

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Price posting requirements: Post
- Retailer credit: Restricted—15 days maximum

Wine (12 percent alcohol)

- Retailer credit: Restricted—15 days maximum

Spirits (40 percent alcohol)

- Retailer credit: Restricted—15 days maximum

Florida State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Bureau of Law Enforcement	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	No
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Don't know
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	No data
Such laws are also enforced by local law enforcement agencies	No data
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	Yes
Number of minors found in possession by state law enforcement agencies	3,221
Number pertains to the 12 months ending	12/31/2012
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of retail licensees in state ³	46,284
Number of licensees checked for compliance by state agencies (including random checks)	5865
Number of licensees that failed state compliance checks	832
Numbers pertain to the 12 months ending	12/31/2012
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to random state compliance checks/decoy operations	46,284
Number of licensees that failed random state compliance checks	596
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Data not collected
Number of licensees that failed local compliance checks	Data not collected
Numbers pertain to the 12 months ending	Data not collected
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state ⁴	58
Total amount in fines across all licensees	\$54,350
Smallest fine imposed	\$500

Largest fine imposed	\$1,000
Numbers pertain to the 12 months ending	12/31/2012
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state ⁵	53
Total days of suspensions across all licensees	169
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	7
Numbers pertain to the 12 months ending	12/31/2012
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	3
Numbers pertain to the 12 months ending	12/31/2012
Additional Clarification	
No data	

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Be The Wall Campaign

Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://fcpr.fsu.edu/sarg/tools/btw.php

Program Description: Be The Wall is a statewide social marketing campaign sponsored by the Florida Governor's Office of Drug Control, the Florida Department of Children and Families, and the Strategic Prevention Framework State Incentive Grant (SPF SIG).

Too Good for Drugs & Violence

Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	http://www.memdezfoundation.org

Program Description: Too Good for Drugs & Violence is a comprehensive prevention education program for high school students. Designed to equip students with the knowledge, skills, and attitudes they need to remain safe and drug-free, this program builds on the core concepts of Too Good for Violence K-8 and Too Good for Drugs K-8. Too Good for Drugs & Violence offers 10 lessons to be delivered once a week for 10 weeks in a single grade level, plus 12 additional lessons to be incorporated into English, science, health, and/or social studies courses, so that students can gain critical information and practice essential skills throughout their high school years. These developmentally appropriate lessons feature topics of great interest to high school students, such as identifying the effects of underage drinking, distinguishing healthy and unhealthy relationships, and

<p>recognizing the stages of addiction and possible sources of help. Lessons reveal misconceptions about tobacco and marijuana and the dangers of abusing prescription and over-the-counter drugs, ecstasy, cocaine, and methamphetamine. Students also learn to analyze media influences, deal with prejudice and discrimination, and de-escalate conflicts.</p>																	
<p>Project Northland</p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>No data</td> </tr> <tr> <td>Number of parents served</td> <td>No data</td> </tr> <tr> <td>Number of caregivers served</td> <td>No data</td> </tr> <tr> <td>Program has been evaluated</td> <td>Yes</td> </tr> <tr> <td>Evaluation report is available</td> <td>No</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td colspan="2"> URL for more program information: http://www.channing-bete.com/prevention-programs/guiding-good-choices/guiding-good-choices.html </td> </tr> </table>		Program serves specific or general population	Specific population	Number of youth served	No data	Number of parents served	No data	Number of caregivers served	No data	Program has been evaluated	Yes	Evaluation report is available	No	URL for evaluation report:	Not applicable	URL for more program information: http://www.channing-bete.com/prevention-programs/guiding-good-choices/guiding-good-choices.html	
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<p>Program Description: Alcohol is the drug of choice for American teenagers, and alcohol use during early adolescence increases the likelihood of progression to heavy alcohol use and to the use of other illicit drugs. The influences of peers, family members, school, the media, and the community have been shown to play a critical role in promoting or discouraging alcohol use among teens. Thus, the prevention researchers who developed Project Northland focused on engaging not only youth but also schools, families, and the larger community in one comprehensive prevention effort.</p>																	
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<p>Program Description: Guiding Good Choices is an easy-to-implement, proven-effective, drug prevention program that seeks to give parents skills to reduce their children’s risk for using alcohol and other drugs. The program is based on the Social Development Strategy (SDS), whose framework is based on longitudinal studies and 30 years of research by Dr. J. David Hawkins and Dr. Richard F. Catalano of the University of Washington. The social development model is a complete model of behavioral development that outlines pathways to both problem and positive behaviors. The SDS describes the pathway to healthy behaviors outlined in the social development model (Catalano & Hawkins, 1996). Protective factors are research-based predictors of positive youth development and healthy behaviors that buffer children’s exposure to risk factors. The SDS shows how three broad categories of protective factors—healthy beliefs and clear standards, bonding, and individual characteristics—work together to promote positive youth development and healthy behaviors (Hawkins, Catalano, & Arthur, 1995). The SDS begins with a goal of healthy behaviors for all children and youth. In order for young people to develop healthy behaviors, adults must communicate healthy beliefs and clear standards for behavior to young people (Catalano & Hawkins, 1996).</p>																	
<p>Botvin LifeSkills Training (LST)</p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>No data</td> </tr> <tr> <td>Number of parents served</td> <td>No data</td> </tr> <tr> <td>Number of caregivers served</td> <td>No data</td> </tr> <tr> <td>Program has been evaluated</td> <td>Yes</td> </tr> <tr> <td>Evaluation report is available</td> <td>Yes</td> </tr> <tr> <td colspan="2"> URL for evaluation report: http://www.lifeskillstraining.com/evaluation.php </td> </tr> </table>		Program serves specific or general population	Specific population	Number of youth served	No data	Number of parents served	No data	Number of caregivers served	No data	Program has been evaluated	Yes	Evaluation report is available	Yes	URL for evaluation report: http://www.lifeskillstraining.com/evaluation.php			
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URL for more program information: <http://www.lifeskillstraining.com>

Program Description: LST is a research-validated substance abuse prevention program proven to reduce the risks of alcohol, tobacco, drug abuse, and violence by targeting the major social and psychological factors that promote the initiation of substance use and other risky behaviors. This comprehensive and exciting program provides adolescents and young teens with the confidence and skills necessary to successfully handle challenging situations. Developed by Dr. Gilbert J. Botvin, a leading prevention expert, LST is backed by over 30 scientific studies and is recognized as a Model or Exemplary program by an array of government agencies including the U.S. Department of Education and the Center for Substance Abuse Prevention. Rather than merely teaching information about the dangers of drug abuse, LST promotes healthy alternatives to risky behavior through activities designed to (1) teach students the necessary skills to resist social (peer) pressures to smoke, drink, and use drugs, (2) help students develop greater self-esteem and self-confidence, (3) enable students to effectively cope with anxiety, (4) increase their knowledge of the immediate consequences of substance abuse, and (5) enhance cognitive and behavioral competency to reduce and prevent a variety of health risk behaviors.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No response

URL for more program information: No data

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No
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Description of collaboration: Not applicable

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Description of program: Not applicable

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
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Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA	Yes
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Agency(ies) within your state: Department of Children and Families	Yes
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Nongovernmental agency(ies):	No
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Other:	No
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Best practice standards description: The Best Practices Recognition Program provides recognition for programs that exemplify “best practice” methods in substance abuse prevention and treatment services. These programs’ efforts are shown to measurably improve service outcomes and the quality of life for program participants. All aspects of the program process are intended to bring recognition to the recipients, to the quality of care for persons receiving substance abuse supports and services, and to the efforts being made in providing substance abuse services in Florida.

The Substance Abuse Response Guide (SARG): The Substance Abuse Program’s Prevention Team uses SARG to help communities change conditions that underlie illegal, illicit, and problematic alcohol and drug use patterns and related consequences in the State of Florida (<http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/prevention.shtml>).

The Evidence-Based Practice Initiative (http://fcpr.fsu.edu/prevention/fps_document.html): When speaking about implementing a prevention program or strategy “with fidelity,” the process starts with its selection. Even faithful implementation of a program or strategy that poorly fits the needs and makeup of the community can be as ineffective as implementing a program with no evidence of effectiveness. Thoughtful selection is essential. Three principles drive selection: relevance, appropriateness, and evidence of effectiveness. It is important that a program or strategy have

evidence that it is likely to influence troublesome factors or conditions that are driving a community's substance abuse problems. In addition, the program or strategy should be supported by the community and fit the community's demographics, culture, resources, and capacity. This guidance provides elements that reflect a selection process that achieves good fit. It includes a glossary of terms, one list of benchmarks for the process and another for provider qualities, and a more indepth discussion of each element. The principle of goodness of fit, as reflected in the elements of relevance and appropriateness, will be the foundation of the Department's Evidence-Based Practices Initiative. Circuits and managing entities will use them to make funding and resource allocation decisions and ensure the implementation of evidence-based practices.

Additional Clarification

No response

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Don't know/
No answer

Committee contact information:
Not applicable

Agencies/organizations represented on the committee:
Not applicable

A website or other public source exists to describe committee activities
URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes
Prepared by: Substance Abuse Prevention Advisory council
Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last 3 years Not sure
Prepared by: No data
Plan can be accessed via: No data

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:
Estimate of state funds expended \$0
Estimate based on the 12 months ending 12/31/2012

Checkpoints and saturation patrols:
Estimate of state funds expended Data not available
Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:
Estimate of state funds expended Data not available
Estimate based on the 12 months ending 6/30/2012

K-12 school-based programs to prevent underage drinking:
Estimate of state funds expended Data not available
Estimate based on the 12 months ending 6/30/2012

Programs targeted to institutes of higher learning:
Estimate of state funds expended \$0
Estimate based on the 12 months ending 0/30/2012

Programs that target youth in the juvenile justice system:
Estimate of state funds expended \$0
Estimate based on the 12 months ending 0/30/2012

Programs that target youth in the child welfare system:
Estimate of state funds expended \$0

Estimate based on the 12 months ending	6/30/2012
<i>Other programs:</i>	
Programs or strategies included: No data	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	0/30/2012

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue

streams:

Taxes	No data
Fines	No data
Fees	No data
Other	No data

Description of funding streams and how they are used: No data

Additional Clarification

The State of Florida Prevention program has utilized funding from federal sources such as SAMHSA and the U.S. Department of Education to fund prevention programs in K-12 and at institutions of higher education. Many prevention programs target multiple risk and protective factors that affect a variety of behaviors that, in turn, affect a variety of issues such as substance use, violence prevention, or bullying. Contracted providers are encouraged to use the evidence-based programs that best fit the community needs as identified in a formalized Community Needs and Resource Assessment. Data generally do not capture underage drinking alone.