FLORIDA STATE REPORT
Underage Drinking Prevention and Enforcement
2018

SAMHSA
Substance Abuse and Mental Health Services Administration
This State Report is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on Preventing Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services.

Time period covered by this State Report: The 2018 State Report primarily includes data from calendar year 2017. The state legal data reflects the status of the law as of January 1, 2017. The state survey data was collected in 2017 and was drawn from the most recent 12-month period in which the states maintained the data.

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Florida

State Population: 20,612,439
Population Ages 12–20: 2,116,000

<table>
<thead>
<tr>
<th>Past-Month Alcohol Use Among 12- to 20-Year-Olds</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ages 12–20*</td>
<td></td>
</tr>
<tr>
<td>Past-Month Alcohol Use – Number (Percentage)</td>
<td>449,000</td>
</tr>
<tr>
<td>Ages 12–14</td>
<td></td>
</tr>
<tr>
<td>Past-Month Alcohol Use – Number (Percentage)</td>
<td>21,000</td>
</tr>
<tr>
<td>Ages 15–17</td>
<td></td>
</tr>
<tr>
<td>Past-Month Alcohol Use – Number (Percentage)</td>
<td>129,000</td>
</tr>
<tr>
<td>Ages 18–20</td>
<td></td>
</tr>
<tr>
<td>Past-Month Alcohol Use – Number (Percentage)</td>
<td>300,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol-Attributable Deaths (under 21)</td>
<td>282</td>
</tr>
<tr>
<td>Years of Potential Life Lost (under 21)</td>
<td>16,951</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fatal Crashes Involving 15- to 20-Year-Old Driver with BAC &gt; 0.01</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Fatalities Involving 15- to 20-Year-Old Driver with BAC &gt; 0.01</td>
<td>76</td>
</tr>
<tr>
<td>Percentage of All Fatal Crashes Involving 15- to 20-Year-Old Driver</td>
<td>18%</td>
</tr>
</tbody>
</table>

*Note that in previous years, the numbers and percentages for past-month binge drinking by age group were included in these profiles. These data are not included as a separate category this year. The definition of binge drinking used in the National Survey on Drug Use and Health (NSDUH) changed in 2015 and insufficient state-level data using the new criteria exist. As more years of consistent data become available, the state profiles will include past-month binge drinking as a separate sub-group of past-month alcohol use. For more information, see https://www.samhsa.gov/data/sites/default/files/NSDUH-TrendBreak-2015.pdf.
# Laws Addressing Minors in Possession of Alcohol

## Underage Possession

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is underage possession of alcoholic beverages prohibited?</td>
<td>Yes</td>
</tr>
<tr>
<td>Are there exceptions based on family relationships?</td>
<td></td>
</tr>
<tr>
<td>• Is possession allowed if parent or guardian is present or consents?</td>
<td>No</td>
</tr>
<tr>
<td>• Is possession allowed if spouse is present or consents?</td>
<td>No</td>
</tr>
<tr>
<td>Is there an exception based on location?</td>
<td>No</td>
</tr>
</tbody>
</table>

## Underage Consumption

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is underage consumption of alcoholic beverages prohibited?</td>
<td>No law</td>
</tr>
<tr>
<td>Are there exceptions based on family relationships?</td>
<td></td>
</tr>
<tr>
<td>• Is consumption allowed if the parent or guardian is present or consents?</td>
<td>N/A</td>
</tr>
<tr>
<td>• Is consumption allowed if the spouse is present or consents?</td>
<td>N/A</td>
</tr>
<tr>
<td>Is there an exception based on location?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## Underage Internal Possession

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is underage internal possession of alcoholic beverages prohibited?</td>
<td>No law</td>
</tr>
<tr>
<td>Are there exceptions based on family relationships?</td>
<td></td>
</tr>
<tr>
<td>• Is internal possession allowed if the parent or guardian is present or consents?</td>
<td>N/A</td>
</tr>
<tr>
<td>• Is internal possession allowed if the spouse is present or consents?</td>
<td>N/A</td>
</tr>
<tr>
<td>Is there an exception based on location?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## Underage Purchase and Attempted Purchase

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the purchase of alcoholic beverages prohibited?</td>
<td>Yes</td>
</tr>
<tr>
<td>May youth purchase for law enforcement purposes?</td>
<td>No</td>
</tr>
</tbody>
</table>

## Underage False Identification for Obtaining Alcohol

### Provisions Targeting Minors

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the use of false identification (ID) prohibited?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the use of a false ID result in minor’s driver’s license suspension?</td>
<td>Yes, through a judicial process</td>
</tr>
</tbody>
</table>

### Provisions Targeting Suppliers

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the lending or transferring or selling of a false ID prohibited?</td>
<td>No</td>
</tr>
<tr>
<td>Is the production of a false ID in the context of underage alcohol sales specifically prohibited?</td>
<td>No</td>
</tr>
</tbody>
</table>

### Retailer Support Provisions

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?</td>
<td>No</td>
</tr>
<tr>
<td>Are state driver’s licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?</td>
<td>Yes</td>
</tr>
<tr>
<td>May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?</td>
<td>No</td>
</tr>
<tr>
<td>Does an affirmative defense exist for the retailer?</td>
<td>Yes</td>
</tr>
<tr>
<td>• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### Underage Drinking Prevention and Enforcement

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</td>
<td>No</td>
</tr>
<tr>
<td>Does the retailer have the right to sue the minor for use of a false ID?</td>
<td>No</td>
</tr>
<tr>
<td>May a retailer detain a minor who used a false ID?</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Laws Targeting Underage Drinking and Driving

<table>
<thead>
<tr>
<th>Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?</td>
<td>0.02</td>
</tr>
<tr>
<td>Does a BAC level in excess of limit automatically establish a violation (per se violation)?</td>
<td>Yes</td>
</tr>
<tr>
<td>What is the minimum age to which the limit applies?</td>
<td>0</td>
</tr>
<tr>
<td>What is the maximum age to which the limit applies?</td>
<td>21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?</td>
<td>Yes</td>
</tr>
<tr>
<td>What types of violation lead to license suspension or revocation?</td>
<td></td>
</tr>
<tr>
<td>• Purchase of alcohol</td>
<td>Yes</td>
</tr>
<tr>
<td>• Possession of alcohol</td>
<td>Yes</td>
</tr>
<tr>
<td>• Consumption of alcohol</td>
<td>No</td>
</tr>
<tr>
<td>The law applies to people under what age?</td>
<td>18</td>
</tr>
<tr>
<td>Is suspension or revocation mandatory or discretionary?</td>
<td>Mandatory</td>
</tr>
<tr>
<td>What is the length of suspension/revocation?</td>
<td></td>
</tr>
<tr>
<td>Minimum number of days</td>
<td>180</td>
</tr>
<tr>
<td>Maximum number of days</td>
<td>365</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Graduated Driver’s Licenses</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learner Stage</td>
<td></td>
</tr>
<tr>
<td>What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?</td>
<td>15</td>
</tr>
<tr>
<td>What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?</td>
<td>12</td>
</tr>
<tr>
<td>What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?</td>
<td>50 (10 of which must be at night)</td>
</tr>
<tr>
<td>Intermediate Stage</td>
<td></td>
</tr>
<tr>
<td>What is the minimum age for driving without adult supervision?</td>
<td>16</td>
</tr>
<tr>
<td>For night driving, when does adult supervision requirement begin?</td>
<td>11 PM (age 16: 11 PM; age 17: 1 PM)</td>
</tr>
<tr>
<td>Can law enforcement stop a driver for night driving violation as a primary offense?</td>
<td>Yes, officer may stop driver for night driving violation</td>
</tr>
<tr>
<td>Are there restrictions on passengers?</td>
<td>No</td>
</tr>
<tr>
<td>Can law enforcement stop driver for violation of passenger restrictions as a primary offense?</td>
<td>N/A</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>License Stage</td>
<td></td>
</tr>
<tr>
<td>What is the minimum age for full license privileges and lifting of restrictions?</td>
<td>18</td>
</tr>
</tbody>
</table>

### Laws Targeting Alcohol Suppliers

#### Furnishing Alcohol to Minors

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is furnishing of alcoholic beverages to minors prohibited?</td>
<td>Yes</td>
</tr>
<tr>
<td>Are there exceptions based on family relationships?</td>
<td></td>
</tr>
<tr>
<td>• Is furnishing allowed if the parent or guardian supplies the alcohol?</td>
<td>No</td>
</tr>
<tr>
<td>• Is furnishing allowed if the spouse supplies the alcohol?</td>
<td>No</td>
</tr>
<tr>
<td>Is there an exception based on location?</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Affirmative Defense for Sellers and Licensees

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Compliance Check Protocols

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the state have a written protocol for when an underage decoy is used in compliance checks?</td>
<td>Yes</td>
</tr>
<tr>
<td>What is the minimum age a decoy may be to participate in a compliance check?</td>
<td>16</td>
</tr>
<tr>
<td>What is the maximum age a decoy may be to participate in a compliance check?</td>
<td>19</td>
</tr>
<tr>
<td>Are there appearance requirements for the decoy?</td>
<td>Yes, must be obviously underage in appearance. Must dress according to community standards of the area where they will be conducting compliance checks. Males: no facial hair allowed. Females: May not be &quot;dressed up&quot; to appear older or wear revealing attire.</td>
</tr>
<tr>
<td>Does decoy carry ID during compliance check?</td>
<td>Required</td>
</tr>
<tr>
<td>May decoy verbally exaggerate his or her actual age?</td>
<td>Prohibited</td>
</tr>
<tr>
<td>Is decoy training mandated, recommended, prohibited, or not specified?</td>
<td>Mandated</td>
</tr>
</tbody>
</table>

#### Penalty Guidelines for Sales to Minors

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?</td>
<td>Yes</td>
</tr>
<tr>
<td>What is the time period for defining second, third and subsequent offenses?</td>
<td>3 years</td>
</tr>
<tr>
<td>What is the penalty for the first offense?</td>
<td>$1,000 and a 7-day suspension</td>
</tr>
<tr>
<td>What is the penalty for the second offense?</td>
<td>$3,000 and a 30-day suspension</td>
</tr>
<tr>
<td>What is the penalty for the third offense?</td>
<td>Revocation</td>
</tr>
<tr>
<td>What is the penalty for the fourth offense?</td>
<td>Not specified</td>
</tr>
</tbody>
</table>
### Responsible Beverage Service (RBS)

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there a state law pertaining to Beverage Service Training?</td>
<td>Yes, voluntary</td>
</tr>
<tr>
<td>If training is mandatory, who must participate?</td>
<td>N/A</td>
</tr>
<tr>
<td>If training is voluntary, which of the following incentives are offered?</td>
<td></td>
</tr>
<tr>
<td>- Defense in dram shop liability lawsuits</td>
<td>No</td>
</tr>
<tr>
<td>- Discounts in dram shop liability insurance, license fees, or other</td>
<td>No</td>
</tr>
<tr>
<td>- Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</td>
<td>Yes</td>
</tr>
<tr>
<td>- Protection against license revocation for sales to minors or sales to intoxicated persons</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?</td>
<td>Both</td>
</tr>
<tr>
<td>Does the RBS law apply to new or existing licensees?</td>
<td>Both</td>
</tr>
</tbody>
</table>

### Minimum Ages for Sellers of Alcohol–Off-Premises (i.e., Liquor Stores)

<table>
<thead>
<tr>
<th>Alcohol Type</th>
<th>Minimum Age Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beer</td>
<td>None</td>
</tr>
<tr>
<td>Wine</td>
<td>None</td>
</tr>
<tr>
<td>Spirits</td>
<td>18</td>
</tr>
</tbody>
</table>

Does a manager or supervisor have to be present? No

### Minimum Age for Alcohol Servers and Bartenders–On-Premises (i.e., Restaurants and Bars)

<table>
<thead>
<tr>
<th>Alcohol Type</th>
<th>Minimum Age Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beer</td>
<td>18</td>
</tr>
<tr>
<td>Wine</td>
<td>18</td>
</tr>
<tr>
<td>Spirits</td>
<td>18</td>
</tr>
</tbody>
</table>

### Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

<table>
<thead>
<tr>
<th>Location</th>
<th>Distance Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colleges and Universities</td>
<td>No</td>
</tr>
</tbody>
</table>
### Underage Drinking Prevention and Enforcement

<table>
<thead>
<tr>
<th><strong>Primary and Secondary Schools</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Is there a distance requirement for off-premises outlets (i.e., liquor stores)?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?</strong></td>
<td>Yes, within 500 feet. Local government has authority to override state restrictions.</td>
</tr>
<tr>
<td><strong>To which alcohol products does requirement apply?</strong></td>
<td>Beer, wine, spirits</td>
</tr>
</tbody>
</table>

**Note:** Exception for restaurants.

### Dram Shop Liability

| **Does a statute create dram shop liability?** | Yes |
| **Does the statute limit damages that may be recovered?** | No |
| **Does the statute limit who may be sued?** | No |
| **Does the statute limit elements or standards of proof?** | Yes (willful and unlawful furnishing to minor) |
| **Does common law dram shop liability exist?** | No |

### Social Host Liability

| **Does a statute create social host liability?** | No |
| **Does the statute limit damages that may be recovered?** | N/A |
| **Does the statute limit who may be sued?** | N/A |
| **Does the statute limit elements or standards of proof?** | N/A |
| **Does common law social host liability exist?** | Yes |

**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.

### Prohibitions Against Hosting Underage Drinking Parties

| **Does a statute prohibit hosting underage drinking parties?** | Yes |
| **Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?** | Specific |
| **What action by underage guest triggers a violation?** | Possession/consumption |
| **Property type covered by the law?** | Residential |
| **What level of knowledge by the host is required?** | Knowledge (host must have actual knowledge of party) |
| **Does host’s preventive action protect him/her from being held liable?** | Yes |
| **Are there any exceptions for underage guests?** | No |

**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

<table>
<thead>
<tr>
<th>Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Beer</td>
<td>Prohibited</td>
</tr>
<tr>
<td>Wine</td>
<td>Prohibited</td>
</tr>
<tr>
<td>Spirits</td>
<td>Prohibited</td>
</tr>
</tbody>
</table>

### Direct Shipments/Sales

<table>
<thead>
<tr>
<th>May alcohol producers ship directly to consumers?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>What alcohol types may be shipped?</td>
<td>N/A</td>
</tr>
<tr>
<td>Must purchaser make mandatory trip to producer before delivery is authorized?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Age verification requirements

- Must the producer/shipper verify purchaser’s age before sale? N/A
- Must the common carrier (deliverer) verify age of recipients? N/A

### State approval/permit requirements

- Must the producer/manufacturer obtain state license or permit? N/A
- Must the common carrier (deliverer) be approved by a state agency? N/A

### Recording/reporting requirements

- Must the producer/manufacturer record/report purchaser’s name? N/A
- Must the common carrier (deliverer) record/report recipient’s name? N/A

### Shipping label requirements

- Must the label state “Package contains alcohol”? N/A
- Must the label state “Recipient must be 21 years old”? N/A

**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.

### Keg Registration

<table>
<thead>
<tr>
<th>How is a keg defined (in gallons)?</th>
<th>No law</th>
</tr>
</thead>
</table>

### Prohibitions

- Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty? No law
- Is it illegal to destroy the label on a keg, and if so, what is the penalty? No law

### What purchaser information is collected?

- Must the retailer collect the name and address? No law
- Must the retailer collect the ID number, name and address on license or other government information? No law
- Must the retailer collect the address at which keg will be consumed? No law
- Must warning information be given to purchaser? No law
- Is a deposit required? No law
- Does law cover disposable kegs? No law
### Home Delivery

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beer</td>
<td></td>
</tr>
<tr>
<td>Wine</td>
<td></td>
</tr>
<tr>
<td>Spirits</td>
<td></td>
</tr>
</tbody>
</table>

### High-Proof Grain Alcohol Beverages

| Are there restrictions on the sale of high-proof grain alcohol beverages? | Yes |
| Are restrictions based on Alcohol by Volume (ABV)? | Yes (more than 76.5%) |
| Are there exceptions to restrictions? | No |

Note: Statute states "153 proof," which is equivalent to 76.5% alcohol by volume.

### Laws Affecting Alcohol Pricing

#### Alcohol Taxes

**Beer**

| Control system for beer? | No |
| Specific excise tax per gallon for 5% alcohol beer | $0.48 |
| Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer | |
| Wholesale tax rate (if applicable) | |
| Retail tax rate (if applicable) | |
| If retail tax rate applies, is there an exemption from general sales tax? | No |
| • General sales tax rate | Not relevant |
| • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) | Not relevant |
| Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer | |
| Wholesale tax rate (if applicable) | |
| Retail tax rate (if applicable) | |
| If retail tax rate applies, is there an exemption from general sales tax? | No |
| • General sales tax rate | Not relevant |
| • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) | Not relevant |

**Wine**

| Control system for wine? | No |
| Specific excise tax per gallon for 12% alcohol wine | $2.25 |
| Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine | |
| Wholesale tax rate (if applicable) | |
| Retail tax rate (if applicable) | |
| If retail tax rate applies, is there an exemption from general sales tax? | No |
| • General sales tax rate | Not relevant |
| • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) | Not relevant |

Additional taxes for 3.2–6% alcohol beer if applicable

Wholesale tax rate (if applicable)
<table>
<thead>
<tr>
<th>Retail tax rate (if applicable)</th>
<th>If retail tax rate applies, is there an exemption from general sales tax?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General sales tax rate</td>
<td>Not relevant</td>
</tr>
<tr>
<td></td>
<td>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</td>
<td>Not relevant</td>
</tr>
<tr>
<td>Additional taxes for 6–14% alcohol wine if applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Spirits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Control system for spirits?</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Specific excise tax per gallon for 40% alcohol spirits</td>
<td>$6.50</td>
<td></td>
</tr>
<tr>
<td><strong>Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesale tax rate (if applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail tax rate (if applicable)</td>
<td>If retail tax rate applies, is there an exemption from general sales tax?</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>General sales tax rate</td>
<td>Not relevant</td>
</tr>
<tr>
<td></td>
<td>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</td>
<td>Not relevant</td>
</tr>
<tr>
<td><strong>Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesale tax rate (if applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail tax rate (if applicable)</td>
<td>If retail tax rate applies, is there an exemption from general sales tax?</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>General sales tax rate</td>
<td>Not relevant</td>
</tr>
<tr>
<td></td>
<td>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</td>
<td>Not relevant</td>
</tr>
<tr>
<td>Additional taxes for 15–50% alcohol spirits if applicable</td>
<td>$2.25/gallon for alcohol content of less than 17.259%</td>
<td></td>
</tr>
</tbody>
</table>

**Low-Price, High-Volume Drink Specials**

Are on-premises retailers prohibited from offering the following types of drink specials?

<table>
<thead>
<tr>
<th>Free beverages</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple servings at one time</td>
<td>No</td>
</tr>
<tr>
<td>Multiple servings for same price as single serving</td>
<td>No</td>
</tr>
<tr>
<td>Reduced price for a specified day or time (i.e., happy hours)</td>
<td>No</td>
</tr>
<tr>
<td>Unlimited beverages for fixed price</td>
<td>No</td>
</tr>
<tr>
<td>Increased volume without increase in price</td>
<td>No</td>
</tr>
</tbody>
</table>

**Wholesaler Pricing Restrictions**

**Beer**

<table>
<thead>
<tr>
<th>Are volume discounts to retailers allowed?</th>
<th>No law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?</td>
<td>No law</td>
</tr>
<tr>
<td>Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?</td>
<td>Post</td>
</tr>
<tr>
<td></td>
<td>Wine</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?</td>
<td>Yes, 15 days</td>
</tr>
<tr>
<td>Are volume discounts to retailers allowed?</td>
<td>No law</td>
</tr>
<tr>
<td>Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?</td>
<td>No law</td>
</tr>
<tr>
<td>Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?</td>
<td>No law</td>
</tr>
<tr>
<td>Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?</td>
<td>Yes, 15 days</td>
</tr>
</tbody>
</table>
## Florida State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

Florida Department of Business & Professional Regulation, Division of Alcoholic Beverages and Tobacco, Bureau of Law Enforcement

### Enforcement Strategies

#### State law enforcement agencies use:

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cops in Shops</td>
<td>Yes</td>
</tr>
<tr>
<td>Shoulder Tap Operations</td>
<td>Yes</td>
</tr>
<tr>
<td>Party Patrol Operations or Programs</td>
<td>Yes</td>
</tr>
<tr>
<td>Underage Alcohol-Related Fatality Investigations</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Local law enforcement agencies use:

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cops in Shops</td>
<td>No</td>
</tr>
<tr>
<td>Shoulder Tap Operations</td>
<td>No</td>
</tr>
<tr>
<td>Party Patrol Operations or Programs</td>
<td>No</td>
</tr>
<tr>
<td>Underage Alcohol-Related Fatality Investigations</td>
<td>No</td>
</tr>
</tbody>
</table>

#### State has a program to investigate and enforce direct sales/shipment laws

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors: Not applicable

Such laws are also enforced by local law enforcement agencies: Not applicable

### Enforcement Statistics

#### State collects data on the number of minors found in possession

Number of minors found in possession by state law enforcement agencies: 1,360

Number pertains to the 12 months ending 12/31/2016

Data include arrests/citations issued by local law enforcement agencies: No

#### State conducts underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors

Data are collected on these activities: Yes

Number of retail licensees in state: 47,137

Number of licensees checked for compliance by state agencies: 5,394

Number of licensees that failed state compliance checks: 755

Numbers pertain to the 12 months ending 12/31/2016

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments: Both on- and off-sale establishments

#### State conducts random underage compliance checks/decoy operations

Number of licensees subject to random state compliance checks/decoy operations: 3,758

Number of licensees that failed random state compliance checks: 517

#### Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors

Data are collected on these activities: No

Number of licensees checked for compliance by local agencies: Not applicable

Number of licensees that failed local compliance checks: Not applicable

Number pertains to the 12 months ending: Not applicable

### Sanctions

#### State collects data on fines imposed on retail establishments that furnish minors

Number of fines imposed by the state: 43

Total amount in fines across all licensees: $51,525

Smallest fine imposed: $500
Largest fine imposed: $5,000
Numbers pertain to the 12 months ending 12/31/2016

State collects data on license suspensions imposed on retail establishments specifically for furnishing minors
- Number of suspensions imposed by the state: Yes
- Total days of suspensions across all licensees: 39
- Shortest period of suspension imposed (in days): 166
- Longest period of suspension imposed (in days): 1
- Numbers pertain to the 12 months ending 12/31/2016

State collects data on license revocations imposed on retail establishments specifically for furnishing minors
- Number of license revocations imposed: Yes
- Numbers pertain to the 12 months ending 12/31/2016

Additional Clarification
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

Too Good For Drugs (TGFD)
- Program serves specific or general population: Specific population
- Number of youth served: 22,204
- Number of parents served: Not applicable
- Number of caregivers served: Not applicable
- Program has been evaluated: Yes
- Evaluation report is available: Yes
- URL for evaluation report: http://legacy.nreppadmin.net/ViewIntervention.aspx?id=75
- URL for more program information: https://toogoodprograms.org/pages/evidence-base

Program Description: Too Good for Drugs (TGFD) is a school-based prevention program for kindergarten through 12th grade that builds on students’ resiliency by teaching them how to be socially competent and autonomous problem solvers. The program is designed to benefit everyone in the school by providing needed education in social and emotional competencies and by reducing risk factors and building protective factors that affect students in these age groups. TGFD focuses on developing personal and interpersonal skills to resist peer pressures, goal setting, decision making, bonding with others, having respect for self and others, managing emotions, effective communication, and social interactions. The program also provides information about the negative consequences of drug use and the benefits of a nonviolent, drug-free lifestyle. TGFD has developmentally appropriate curricula for each grade level through 8th grade, with a separate high school curriculum for students in grades 9 through 12. The K-8 curricula each include 10 weekly, 30- to 60-minute lessons, and the high school curriculum includes 14 weekly, 1-hour lessons plus 12 optional, 1-hour "infusion" lessons designed to incorporate and reinforce skills taught in the core curriculum through academic infusion in subject areas such as English, social studies, and science/health.
*The number of youth served has significantly decreased from 2015 to 2016 by 54.64% due to many high schools implementing other prevention programs such as New Horizons, Alpha and Project Impact.

General Alcohol, Tobacco, and Other Drugs (ATOD) Prevention Education
- Program serves specific or general population: General population
- Number of youth served: 181,348
- Number of parents served: 167,976,507
<table>
<thead>
<tr>
<th>Number of caregivers served</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program has been evaluated</td>
<td>No</td>
</tr>
<tr>
<td>Evaluation report is available</td>
<td>Not applicable</td>
</tr>
<tr>
<td>URL for evaluation report:</td>
<td>No data</td>
</tr>
<tr>
<td>URL for more program information:</td>
<td>No data</td>
</tr>
</tbody>
</table>

**Program Description:** Alcohol, tobacco and other drugs (ATOD) prevention education is a form of prevention that allows providers and coalitions to share knowledge and resources with the general population regarding prevention activities. These activities include community resource fairs, community engagement events, health fairs, resource tables, information booths, assemblies, back-to-school fairs, EBPs, billboards, radio announcements, theater ads, public service announcements (PSAs), social media posts that include (Facebook, Instagram, twitter, snap chat) and other opportunities to educate large numbers of participants in ATOD prevention materials.

*Various Evidence-Based Programs (EBPs) were combined to calculate the numbers served for ATOD programs. These programs have been reported separately in prior years. Such programs include Strengthening Families, Guiding Good Choices, Education and Counseling for High School Students (ECHO) and Project SUCCESS. The current programs are designed to target the entire population of a community and are identified as a universal strategy. It should be noted that individuals are counted multiple times where they participated in more than one program.*

### Alcohol Literacy Challenge (ALC)

<table>
<thead>
<tr>
<th>Program serves specific or general population</th>
<th>Specific population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of youth served</td>
<td>23,170</td>
</tr>
<tr>
<td>Number of parents served</td>
<td>251</td>
</tr>
<tr>
<td>Number of caregivers served</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Program has been evaluated</td>
<td>Yes</td>
</tr>
<tr>
<td>Evaluation report is available</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**URL for evaluation report:** [http://legacy.nreppadmin.net/ViewIntervention.aspx?id=320](http://legacy.nreppadmin.net/ViewIntervention.aspx?id=320)

**URL for more program information:** [https://alcoholliteracychallenge.com/](https://alcoholliteracychallenge.com/)

**Program Description:** Alcohol Literacy Challenge (ALC) is a brief classroom-based program designed to alter alcohol expectancies and reduce the quantity and frequency of alcohol use among high school and college students. Alcohol expectancies are an individual’s beliefs about the anticipated effects of alcohol use, including those that are positive (e.g., increased sociability, reduced tension) and negative (e.g., impairments to mental and behavioral functioning, increased aggressiveness, or risk taking). Some of the most desired effects—the arousing, positive, and pro-social effects are placebo effects rather than pharmacological effects. ALC aims to correct erroneous beliefs about the effects of alcohol, decreasing positive and increasing negative expectancies. These shifts in expectancies have been shown to predict lower levels of alcohol use.

The intervention, which requires 90 minutes for the high school version and 50 minutes for the college version, can be incorporated into an existing course (e.g., health education) and implemented in one or two class periods. Because the intervention is designed to challenge the unique expectancies of each participating student, it can be used across different populations and cultural groups. The intervention is implemented by teachers at the high school level and students at the college level. A 5-hour training is required for implementers and provides all materials needed to deliver the intervention.

### Anti-Drug Coalition Activities

<table>
<thead>
<tr>
<th>Program serves specific or general population</th>
<th>General population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of youth served</td>
<td>368,276</td>
</tr>
<tr>
<td>Number of parents served</td>
<td>595,758</td>
</tr>
<tr>
<td>Number of caregivers served</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Program has been evaluated</td>
<td>No</td>
</tr>
<tr>
<td>Evaluation report is available</td>
<td>Not applicable</td>
</tr>
<tr>
<td>URL for evaluation report:</td>
<td>Not applicable</td>
</tr>
<tr>
<td>URL for more program information:</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
**Program Description:** Anti-drug coalitions across the state are active within their communities to promote ATOD education and prevention. These coalitions participate in community events and presentations, compliance check reminders, town hall meetings, and other efforts.

*In 2016, anti-drug coalitions had a greater focus on youth and media messaging compared to prior years. The campaigns used were Parents Who Host Lose The Most, Red Ribbon Week and general prevention education campaigns.*

**LifeSkills Training (LST)**

Program serves specific or general population

<table>
<thead>
<tr>
<th>Number of youth served</th>
<th>36,718</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of parents served</td>
<td>2,745</td>
</tr>
<tr>
<td>Number of caregivers served</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Program has been evaluated</td>
<td>Yes</td>
</tr>
<tr>
<td>Evaluation report is available</td>
<td>Yes</td>
</tr>
</tbody>
</table>


URL for more program information: http://lifeskillstraining.com/evaluation_detail.php?id=

**Program Description:** LifeSkills Training (LST) is a school-based program that aims to prevent alcohol, tobacco, and marijuana use and violence by targeting the major social and psychological factors that promote the initiation of substance use and other risky behaviors. LST is based on both the social influence and competence enhancement models of prevention. Consistent with this theoretical framework, LST addresses multiple risk and protective factors and teaches personal and social skills that build resilience and help youth navigate developmental tasks, including the skills necessary to understand and resist pro-drug influences. LST is designed to provide information relevant to the important life transitions that adolescents and young teens face, using culturally sensitive and developmentally and age-appropriate language and content. Facilitated discussion, structured small group activities, and role-playing scenarios are used to stimulate participation and promote the acquisition of skills. Separate LST programs are offered for elementary school (grades 3-6), middle school (grades 6-9), and high school (grades 9-12); the research studies and outcomes reviewed for this summary involved middle school students.

*In 2016, the number of youth served decreased for LST as a result of providers and coalitions implementing other prevention programs such as Community Trials Intervention and Community Mobilizing.*

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

**Active Parenting Now**—An evidence-based practice addressing youth underage drinking.

**Project Northland**—A prevention education program that is outcome-based, with SAMHSA and NREPP-certified curriculums proven to be effective in the delay of first use of ATOD.

**Teen Intervene Group Process**—Designed specifically for youth who are experiencing mild to moderate problems associated with alcohol or other drug use. The program provides education, support, and guidance for teens and their parents.

**Additional Clarification**

Not applicable

**Additional Information Related to Underage Drinking Prevention Programs**

**State collaborates with federally recognized tribal governments in the prevention of underage drinking**

Description of collaboration: Not applicable

**State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing**

Description of program: Environmental scans are done throughout the state to ensure that vendors who sell alcohol do not target youth or sell alcohol to youth. Additionally, environmental strategies (e.g., media campaigns) are held to make parents, educators, and community members aware of the dangers of exposing youth to alcohol.

**State has adopted or developed best practice standards for underage drinking prevention programs**

No
Agencies/oranizations that established best practices standards:
Federal agency(ies): Not applicable
Agency(ies) within your state: Not applicable
Nongovernmental agency(ies): Not applicable
Other: Not applicable
Best practice standards description: Not applicable

Additional Clarification
No data

State Interagency Collaboration
A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:
Name: Walesca Marrero
Email: walesca.marrero@myflfamilies.com
Address: Office of Substance Abuse and Mental Health, Department of Children and Families
1317 Winewood Blvd., Building 6, Room 257, Tallahassee, FL 32399
Phone: 850-717-4313

Agencies/organizations represented on the committee:
Big Bend Community-Based Care Managing Entity
Central Florida Behavioral Health Network Managing Entity
Southeast Florida Behavioral Health Network Managing Entity
Broward Behavioral Health Coalition Managing Entity
Central Florida Cares Health System Managing Entity
Lutheran Services Florida Managing Entity
South Florida Behavioral Health Network Managing Entity

A website or other public source exists to describe committee activities No
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 Not applicable
Prepared by: Not applicable
Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years Not applicable
Prepared by: Not applicable
Plan can be accessed via: Not applicable

Additional Clarification
No data

State Expenditures for the Prevention of Underage Drinking
Compliance checks in retail outlets:
Estimate of state funds expended: Data not available
Estimate based on the 12 months ending: Data not available

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: $2,322,513.36
Estimate based on the 12 months ending: 12/31/2016

K–12 school-based programs to prevent underage drinking:
Estimate of state funds expended: $4,777,475.59
Estimate based on the 12 months ending: 12/31/2016

Programs targeted to institutes of higher learning:
Underage Drinking Prevention and Enforcement

<table>
<thead>
<tr>
<th>Estimate of state funds expended</th>
<th>$359,120.10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>12/31/2016</td>
</tr>
</tbody>
</table>

Programs that target youth in the juvenile justice system:

<table>
<thead>
<tr>
<th>Estimate of state funds expended</th>
<th>Data not available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>Data not available</td>
</tr>
</tbody>
</table>

Programs that target youth in the child welfare system:

<table>
<thead>
<tr>
<th>Estimate of state funds expended</th>
<th>Data not available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>Data not available</td>
</tr>
</tbody>
</table>

Other programs:

<table>
<thead>
<tr>
<th>Programs or strategies included</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate of state funds expended</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

<table>
<thead>
<tr>
<th>Revenue stream</th>
<th>Dedication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>No</td>
</tr>
<tr>
<td>Fines</td>
<td>No</td>
</tr>
<tr>
<td>Fees</td>
<td>No</td>
</tr>
<tr>
<td>Other: Not applicable</td>
<td>No</td>
</tr>
</tbody>
</table>

Description of funding streams and how they are used:

Not applicable

Additional Clarification

No data
In addition to the state expenditures on underage drinking prevention reported in the annual STOP Act Survey, all states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Florida used for expenditures on substance abuse prevention and treatment in 2017. As indicated, SABG funds and state funds account for the largest sources (52.7 percent and 43.8 percent respectively).19

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018-2019, Florida did not identify underage drinking as a priority for use of SABG funds.20

Exhibit 1: Source of 2017 Expenditures for Substance Abuse Prevention and Treatment

19 WebBGAS State Profile, 2017 SABG and MHBG Reports– Florida 2017
20 FY 2018/2019 – (Florida) State Behavioral Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant, Center for Substance Abuse Prevention, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators