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## The 2024 Florida Statutes

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<u>Title</u>	<u>Chapter 856</u>	<u>View Entire Chapter</u>
<u>XLVI</u> CRIMES	DRUNKENNESS; OPEN HOUSE PARTIES; LOITERING; PROWLING; DESERTION	

### **856.011**     **Disorderly intoxication.—**

(1) No person in the state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance.

(2) Any person violating the provisions of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(3) Any person who shall have been convicted or have forfeited collateral under the provisions of subsection (1) three times in the preceding 12 months shall be deemed a habitual offender and may be committed by the court to an appropriate treatment resource for a period of not more than 60 days. Any peace officer, in lieu of incarcerating an intoxicated person for violation of subsection (1), may take or send the intoxicated person to her or his home or to a public or private health facility, and the law enforcement officer may take reasonable measures to ascertain the commercial transportation used for such purposes is paid for by such person in advance. Any law enforcement officers so acting shall be considered as carrying out their official duty.

*History.—*s. 16A, ch. 71-132; s. 1383, ch. 97-102.