

SB 822 by **Hutson**; (Similar to H 00775) Beverage Law

306370 —A	S	WD	RI, Steube	Delete L.22:	01/11 01:15 PM	
796678	A	S	RCS	RI, Young	Delete L.54:	01/11 01:15 PM

SB 876 by **Bean**; (Similar to CS/H 00539) Alarm Confirmation

848964	D	S	RCS	RI, Bean	Delete everything after	01/11 09:32 AM
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SB 1020 by **Young**; (Similar to H 00667) Alcohol Deliveries

794362	A	S	RCS	RI, Young	Delete L.23 - 24:	01/11 09:55 AM
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

REGULATED INDUSTRIES
Senator Hutson, Chair
Senator Hukill, Vice Chair

MEETING DATE: Wednesday, January 10, 2018
TIME: 4:00—5:30 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Hutson, Chair; Senator Hukill, Vice Chair; Senators Benacquisto, Bracy, Brandes, Braynon, Gibson, Steube, Thurston, and Young

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 822 Hutson (Similar H 775)	Beverage Law; Providing an exemption from provisions relating to the tied house evil for specified financial transactions between a manufacturer or importer of malt beverages and a licensed vendor; prohibiting the manufacturer or importer of malt beverages from soliciting or receiving any portion of certain payments from its distributors, etc. RI 01/10/2018 Fav/CS CM RC	Fav/CS Yeas 7 Nays 2
2	SB 876 Bean (Identical H 539)	Alarm Confirmation; Revising requirements for alarm confirmation to include additional methods by which an alarm monitoring company may confirm a residential or commercial intrusion/burglary alarm signal and to require that two attempts be made to confirm an alarm signal, etc. RI 01/10/2018 Fav/CS CA RC	Fav/CS Yeas 8 Nays 0
3	SB 1020 Young (Similar H 667)	Alcohol Deliveries; Including an electronic order as a type of order construed as a sale made at a vendor's licensed place of business; authorizing a manufacturer, distributor, or vendor to contract with a third party for certain deliveries, etc. RI 01/10/2018 Fav/CS CM RC	Fav/CS Yeas 8 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Regulated Industries

BILL: CS/SB 822

INTRODUCER: Regulated Industries Committee and Senator Hutson

SUBJECT: Beverage Law

DATE: January 10, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	McSwain	RI	Fav/CS
2.			CM	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 822 amends the “tied house evil” law in s. 561.42, F.S., which prohibits an alcoholic beverage manufacturer or distributor from having a financial interest, directly or indirectly, in the establishment or business of an alcoholic beverage vendor, and also prohibits a manufacturer or distributor from giving gifts, loans or property, or rebates to the vendor.

The bill exempts from the “tied house evil” prohibitions a written agreement between a manufacturer or importer of malt beverages and an alcoholic beverage vendor for brand naming rights, including the right to advertise cooperatively. The agreement must be negotiated at arm’s length for no more than fair market value.

Such agreement must be with a vendor who operates a theme park complex; may not involve the sale or distribution of malt beverages; may not permit the vendor to give preferential treatment to the alcoholic beverage brand or brands of the manufacturer or importer; may not limit, directly or indirectly, the sale of alcoholic beverages from another manufacturer or importer, or distributor; and must be registered with the Division of Alcoholic Beverages and Tobacco (division) in the Department of Business and Professional Regulation (DBPR) within 10 days of its execution.

The bill defines a “theme park” as a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity, which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually through a controlled entrance to and exit from the theme park complex.

The manufacturer or importer of malt beverages who is a party to a brand naming rights agreement is prohibited from, directly or indirectly, soliciting or receiving from any of its distributors any portion of the payment it owes to the vendor pursuant to the naming rights agreement. The bill also prohibits a brand naming rights agreement from, directly or indirectly, obligating or placing responsibility, financial or otherwise, upon a distributor.

The bill provides an effective date of July 1, 2018.

II. Present Situation:

In Florida, alcoholic beverages are regulated by the Beverage Law,¹ which regulates the manufacture, distribution, and sale of wine, beer, and liquor by manufacturers, distributors, and vendors.² The division administers and enforces the Beverage Law.³

“Alcoholic beverages” are defined in s. 561.01, F.S., as “distilled spirits and all beverages containing one-half of 1 percent or more alcohol by volume.” “Malt beverages” are brewed alcoholic beverages containing malt.⁴

Section 561.14, F.S., specifies the license and registration classifications used in the Beverage Law.

- “Manufacturers” are those “licensed to manufacture alcoholic beverages and distribute the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.”⁵
- “Distributors” are those “licensed to sell and distribute alcoholic beverages at wholesale to persons who are licensed to sell alcoholic beverages.”⁶
- “Importers” are those licensed to sell, or to cause to be sold, shipped, and invoiced, alcoholic beverages to licensed manufacturers or licensed distributors, and to no one else in this state; provided that ss. 564.045 and 565.095, F.S., relating to primary American source of supply licensure, are in no way violated by such imports.⁷
- “Vendors” are those “licensed to sell alcoholic beverages at retail only” and may not “purchase or acquire in any manner for the purpose of resale any alcoholic beverages from any person not licensed as a vendor, manufacturer, bottler, or distributor under the Beverage Law.”⁸

Three-Tier System

In the United States, the regulation of alcohol since the repeal of Prohibition has traditionally been based upon a “three-tier system.” The system requires separation of the manufacture,

¹ Section 561.01(6), F.S., provides that the “Beverage Law” means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.

² See s. 561.14, F.S.

³ Section 561.02, F.S.

⁴ Section 563.01, F.S.

⁵ Section 561.14(1), F.S.

⁶ Section 561.14(2), F.S.

⁷ Section 561.01(5), F.S.

⁸ Section 561.14(3), F.S.

distribution, and sale of alcoholic beverages. The manufacturer creates the beverages, and the distributor obtains the beverages from the manufacturer to deliver to the vendor. The vendor makes the ultimate sale to the consumer.⁹ A manufacturer, distributor, or exporter may not be licensed as a vendor to sell directly to consumers.¹⁰

Generally, in Florida, only licensed vendors are permitted to sell alcoholic beverages directly to consumers at retail.¹¹ Licensed manufacturers, distributors, and registered exporters are prohibited from also being licensed as vendors.¹² Manufacturers are also generally prohibited from having an interest in a vendor and from distributing directly to a vendor.¹³

Tied House Evil Prohibitions

States have enacted statutes designed to prevent or limit the control of retail alcoholic beverage vendors by manufacturers, wholesalers, and importers, or to prohibit "tied-house arrangements," such legislation is referred to as "tied house" or "tied house evil" statutes.¹⁴

Section 561.42, F.S., Florida's "tied house evil" statute, regulates the permitted and prohibited relationships and interactions of manufacturers and distributors with vendors in order to prevent a manufacturer or distributor from having a financial interest, directly or indirectly, in the establishment or business of a licensed vendor, and to prevent a manufacturer or distributor from giving a vendor gifts, loans or property, or rebates.¹⁵ The prohibitions also apply to an importer, primary American source of supply,¹⁶ brand owner or registrant, broker, and sales agent (or sales person thereof).

The tied house evil statute also prohibits any distributor or vendor from receiving any financial incentives from any manufacturer. It further prohibits manufacturers or distributors from assisting retail vendors by gifts or loans of money or property or by the giving of rebates. These prohibitions do not, however, apply to any bottles, barrels, or other containers necessary for the legitimate transportation of such beverages, to advertising materials, or to the extension of credit for liquors sold, if made strictly in compliance with the provisions of s. 561.42, F.S.¹⁷

Section 561.42, F.S., also prohibits licensed manufacturers and distributors from:

- Making further sales to vendors that the division has certified as not having fully paid for all liquors previously purchased;¹⁸
- Directly or indirectly giving, lending, renting, selling, or in any other manner furnishing to a vendor any outside sign, printed, painted, electric, or otherwise;¹⁹

⁹ Section 561.14, F.S.

¹⁰ Section 561.22(1), F.S.

¹¹ Section 561.14(3), F.S. However, see the exceptions provided in ss. 561.221 and 565.03, F.S.

¹² Section 561.22, F.S.

¹³ Sections 563.022(14) and 561.14(1), F.S.

¹⁴ 45 AM. JUR. 2d *Intoxicating Liquors*, s. 94 (2017).

¹⁵ Section 561.42(1), F.S.

¹⁶ See s. 564.045, F.S.

¹⁷ Section 564.42(1). Section 561.42(2), F.S., permits distributors to extend credit for the sale of liquors to any vendor up to, but not including, the 10th day after the calendar week within which such sale was made.

¹⁸ Section 561.42(4), F.S.

¹⁹ Section 561.42(10), F.S.

- Providing neon or electric signs, window painting and decalcomanias, posters, placards, and other advertising material herein authorized to be used or displayed by the vendor in the interior of the licensed premises;²⁰ and
- Providing expendable retail advertising specialties, unless sold to the vendor at not less than the actual cost to the industry member who initially purchased them.²¹

III. Effect of Proposed Changes:

CS/SB 822 creates s. 561.42(15), F.S., to provide an exemption from the tied house evil prohibitions to permit a manufacturer or importer of malt beverages and vendor to enter into a written agreement for brand naming rights, including the right to advertise cooperatively. The agreement must be negotiated at arm's length for no more than fair market value.²²

Such written agreement:

- Must be with a vendor who operates a theme park complex;
- May not involve the sale or distribution of malt beverages;
- May not permit the vendor to give preferential treatment to the alcoholic beverage brand or brands of the manufacturer or importer;
- May not limit, directly or indirectly, the sale of alcoholic beverages from another manufacturer or importer, or distributor; and
- Must be registered with the division within 10 days of its execution.

The bill defines a "theme park" as a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity, which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually through a controlled entrance to and exit from the theme park complex.²³

²⁰ Section 561.42(12), F.S.

²¹ Section 561.42(14)(a), F.S.

²² "Arm's length" is not defined by the bill. Black's Law Dictionary defines the term "arm's-length transaction" as a "transaction between two unrelated and unaffiliated parties", and as a "transaction between two parties, however closely related they may be, conducted as if the parties were strangers, so that no conflict of interest arises". BLACKS LAW DICTIONARY (14th ed. 2014), when defining forms of the term "transaction".

"Arms length" or "arms-length" is used eight times in the Florida Statutes; where used, those terms are not defined. *See* s. 155.40(4)(b), F.S., (in defining "fair market value" in connection with the sale or lease of county, district, or municipal hospitals); s. 193.114(1)(n), F.S., (as to property tax assessment rolls); s. 212.14(4), F.S., (as to the security required for sales tax dealer registrations); s. 215.4401, F.S., (in connection with the real estate investment portfolio of the State Board of Administration); s. 287.055(2)(l), F.S., (in defining "negotiate" under the "Consultants' Competitive Negotiation Act"); s. 400.462(11), F.S., (in defining "fair market value" in connection with home health agency regulation); s. 456.053(3)(g), F.S., (in defining "fair market value" in connection with financial arrangements between health care providers); and s. 718.117, F.S., (in defining "fair market value" in connection with condominium terminations).

²³ This definition of "theme park" is similar to the definition of the term "theme park or entertainment complex" in s. 509.013(9), F.S., which relates to public lodging and public food services establishments. Comparable terms are also defined in the Beverage Law. Section 561.01(18), F.S., defines the term "entertainment/resort complex;" s. 565.02(6), F.S., defines the term "theme park complex;" and s. 565.02(7), F.S., defines the term "marine exhibition complex." Each of these definitions also provide that the locations must be comprised of at least 25 contiguous acres owned and controlled by the same business entity, which contains permanent exhibitions and a variety of recreational activities and have a minimum of 1 million visitors annually. However, the definitions in ss. 561.01(18), 565.02(6), and 565.02(7), F.S., have additional requirements not included in s. 509.013(9), F.S., or in SB 822, including the requirement that the 1 million annual visitors pay admission fees.

The bill also prohibits a manufacturer or importer of malt beverages who is a party to a brand naming rights agreement from, directly or indirectly, soliciting or receiving from any of its distributors any portion of the payment due from the manufacturer or importer of malt beverages to the vendor pursuant to the naming rights agreement.

A brand naming rights agreement may not, directly or indirectly, obligate or place responsibility, financial or otherwise, upon a distributor.

The bill provides an effective date of July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 561.42 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Regulated Industries Committee on January 10, 2018:

The committee substitute prohibits a brand naming rights agreement from, directly or indirectly, obligating or placing responsibility, financial or otherwise, upon a distributor.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



306370

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/11/2018	.	
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The Committee on Regulated Industries (Steube) recommended the following:

Senate Amendment (with directory and title amendments)

Delete line 22

and insert:

(1) A ~~Ne~~ manufacturer, distributor, importer, primary American source of supply, or brand owner or registrant of any of the beverages herein referred to, whether licensed or operating in this state or out-of-state, nor any broker, sales agent, or sales person thereof, may not ~~shall~~ have any financial interest, directly or indirectly, in the establishment or



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11 business of any vendor licensed under the Beverage Law; nor may
12 ~~shall~~ such manufacturer, distributor, importer, primary American
13 source of supply, brand owner or brand registrant, or any
14 broker, sales agent, or sales person thereof, directly or
15 indirectly assist any vendor by furnishing, selling, renting,
16 lending, buying for, or giving to any vendor any vehicles,
17 equipment, furniture, fixtures, signs, supplies, credit, money,
18 fees of any kind, advertising or cooperative advertising,
19 services, any gifts or loans of money or property of any
20 description, or by the giving of any rebates of any kind
21 whatsoever. A ~~Ne~~ licensed vendor may not ~~shall~~ accept, directly
22 or indirectly, any vehicles, equipment, furniture, fixtures,
23 signs, supplies, credit, money, fees of any kind, advertising or
24 cooperative advertising, services, any gifts or loans of money
25 or property of any description, or any rebates of any kind
26 whatsoever from any such manufacturer, distributor, importer,
27 primary American source of supply, brand owner or brand
28 registrant, or any broker, sales agent, or sales person thereof;
29 provided, however, that this does not apply to any bottles,
30 barrels, or other containers necessary for the legitimate
31 transportation of such beverages or to advertising materials and
32 does not apply to the extension of credit, for liquors sold,
33 made strictly in compliance with ~~the provisions of~~ this section.
34 A brand owner is a person who is not a manufacturer,
35 distributor, importer, primary American source of supply, brand
36 registrant, or broker, sales agent, or sales person thereof, but
37 who directly or indirectly owns or controls any brand, brand
38 name, or label of alcoholic beverage. Nothing in this section
39 shall prohibit the ownership by vendors of any brand, brand



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40 name, or label of alcoholic beverage.

41 (8) The division may adopt rules and require reports to
42 enforce, and may impose administrative sanctions for any
43 violation of, the limitations established in the Beverage Law on
44 vehicles, equipment, furniture, fixtures, signs, supplies,
45 credit, money, fees of any kind, advertising or cooperative
46 advertising, services, ~~this section on~~ credits, coupons, and
47 other forms of assistance.

48 (11) A vendor may display in the interior of his or her
49 licensed premises, including the window or windows thereof,
50 neon, electric, or other signs, including window painting and
51 decalcomanias applied to the surface of the interior or exterior
52 of such windows, and posters, placards, and other advertising
53 material advertising the brand or brands of alcoholic beverages
54 sold by him or her, whether visible or not from the outside of
55 the licensed premises, but no vendor shall display in the window
56 or windows of his or her licensed premises more than one neon,
57 electric, or similar sign, advertising the product of any one
58 brand manufacturer.

59 (12) Any manufacturer, distributor, importer, primary
60 American source of supply, or brand owner or registrant, or any
61 broker, sales agent, or sales person thereof, may give, lend,
62 furnish, or sell to a vendor who sells the products of such
63 manufacturer, distributor, importer, primary American source of
64 supply, or brand owner or registrant any of the following: neon
65 or electric signs, window painting and decalcomanias applied to
66 the surface of the interior or exterior of windows, posters,
67 placards, and other advertising material herein authorized to be
68 used or displayed by the vendor in the interior of his or her



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69 licensed premises. The term "decalcomania" means the transfer of
70 design, engraving, or print onto glass.

71 (13) If a manufacturer, distributor, importer, primary
72 American source of supply, or brand owner or registrant of any
73 of the beverages herein referred to, whether licensed or
74 operating in this state or out-of-state, and any broker, sales
75 agent, or sales person thereof, is a bona fide wholesaler of
76 other merchandise to any vendor who wishes to purchase such
77 merchandise, such manufacturer, distributor, importer, primary
78 American source of supply, or brand owner or registrant may sell
79 such merchandise to a vendor under the following conditions:

80 (a) The cost of acquiring the merchandise is maintained in
81 invoices and other records;

82 (b) The merchandise is sold at a price not less than its
83 cost or fair market value, whichever is less;

84 (c) The merchandise is not sold in combination with
85 alcoholic beverages;

86 (d) The sale of the merchandise is separately itemized from
87 the sale of alcoholic beverages;

88 (e) The merchandise is not a refrigerator, chilling device,
89 or dispensing equipment valued in excess of \$500; and

90 (f) The merchandise is not a vehicle, regardless of value.

91 (15)-(14) The division shall adopt reasonable rules
92 governing promotional displays and advertising, which rules may
93 not shall not conflict with or be more stringent than the
94 federal regulations pertaining to such promotional displays and
95 advertising furnished to vendors by distributors, manufacturers,
96 importers, primary American sources of supply, or brand owners
97 or registrants, or any sales agent or sales person thereof;



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98 however:

99 (b) Without limitation in total dollar value of such items
100 provided to a vendor, a manufacturer, distributor, importer,
101 brand owner, or brand registrant of malt beverage, or any sales
102 agent or sales person thereof, may rent, loan without charge for
103 an indefinite duration, or sell durable retailer advertising
104 specialties such as clocks, pool table lights, and the like,
105 which bear advertising matter. If sold, such items may not be
106 sold at a price less than the actual cost to the industry member
107 who initially purchased the items.

108 (16) (a) Notwithstanding any other provision of this
109

110 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

111 And the directory clause is amended as follows:

112 Delete lines 15 - 16

113 and insert:

114 Section 1. Present subsection (13) of section 561.42,
115 Florida Statutes, is redesignated as subsection (14), a new
116 subsection (13) and subsection (16) are added to that section,
117 and subsections (1), (8), (11), and (12) and paragraph (b) of
118 present subsection (14) of that section are amended, to read:
119

120 ===== T I T L E A M E N D M E N T =====

121 And the title is amended as follows:

122 Delete line 3

123 and insert:

124 561.42, F.S.; prohibiting certain entities and persons
125 from directly or indirectly assisting any vendor in
126 certain ways; prohibiting a licensed vendor from



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127 accepting certain items and services; authorizing the
128 division to impose administrative sanctions for a
129 violation of certain limitations established in the
130 Beverage Law; prohibiting a vendor from displaying
131 certain signs in the window or windows of his or her
132 licensed premises; authorizing certain entities and
133 persons to give, lend, furnish, or sell certain
134 advertising material to certain vendors; defining the
135 term "decalcomania"; authorizing certain entities and
136 persons to sell certain merchandise to vendors under
137 certain conditions; prohibiting certain entities and
138 persons from selling certain items for a price less
139 than the actual cost of the item; providing an
140 exemption from provisions



796678

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2018	.	
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	.	

The Committee on Regulated Industries (Young) recommended the following:

Senate Amendment (with title amendment)

Delete line 54
and insert:
pursuant to such agreement. Such agreement exists solely between
the manufacturer and the vendor and does not, directly or
indirectly, in any way obligate or place responsibility,
financial or otherwise, upon a distributor.

===== T I T L E A M E N D M E N T =====



796678

11 And the title is amended as follows:

12 Delete line 10

13 and insert:

14 payments from its distributors; specifying that a
15 brand naming rights agreement does not obligate or
16 place responsibility upon a distributor; providing an
17 effective

By the Committee on Regulated Industries; and Senator Hutson

580-02003-18

2018822c1

1 A bill to be entitled
2 An act relating to the Beverage Law; amending s.
3 561.42, F.S.; providing an exemption from provisions
4 relating to the tied house evil for specified
5 financial transactions between a manufacturer or
6 importer of malt beverages and a licensed vendor;
7 providing conditions for the exemption; prohibiting
8 the manufacturer or importer of malt beverages from
9 soliciting or receiving any portion of certain
10 payments from its distributors; specifying that a
11 brand naming rights agreement does not obligate or
12 place responsibility upon a distributor; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsection (15) is added to section 561.42,
18 Florida Statutes, to read:

19 561.42 Tied house evil; financial aid and assistance to
20 vendor by manufacturer, distributor, importer, primary American
21 source of supply, brand owner or registrant, or any broker,
22 sales agent, or sales person thereof, prohibited; procedure for
23 enforcement; exception.—

24 (15) (a) Notwithstanding any other provision of this
25 section, a manufacturer or importer of malt beverages and a
26 vendor may enter into a written agreement for brand naming
27 rights, including the right to advertise cooperatively,
28 negotiated at arm's length for no more than fair market value
29 if:

580-02003-18

2018822c1

30 1. The vendor operates places of business where consumption
31 on the premises is permitted, the premises are located within a
32 theme park complex consisting of at least 25 contiguous acres
33 owned and controlled by the same business entity, and the
34 complex contains permanent exhibitions and a variety of
35 recreational activities and has a minimum of 1 million visitors
36 annually through a controlled entrance to and exit from the
37 theme park complex;

38 2. Such agreement does not involve, either in whole or in
39 part, the sale or distribution of malt beverages between the
40 manufacturer or importer, or its distributor, and a vendor;

41 3. The vendor does not give preferential treatment to the
42 alcoholic beverage brand or brands of the manufacturer or
43 importer with whom the vendor has entered into such agreement;

44 4. Such agreement does not limit, either directly or
45 indirectly, the sale of alcoholic beverages of another
46 manufacturer or importer, or distributor; and

47 5. Within 10 days after the execution of such agreement,
48 the vendor files with the division a description of the
49 agreement which includes the location, dates, and the name of
50 the manufacturer or importer that entered into the agreement.

51 (b) A manufacturer or importer of malt beverages which is a
52 party to a brand naming rights agreement may not, either
53 directly or indirectly, solicit or receive from any of its
54 distributors any portion of the payment due from the
55 manufacturer or importer of malt beverages to the vendor
56 pursuant to such agreement. Such agreement exists solely between
57 the manufacturer and the vendor and does not, directly or
58 indirectly, in any way obligate or place responsibility,

580-02003-18

2018822c1

59 financial or otherwise, upon a distributor.

60 Section 2. This act shall take effect July 1, 2018.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18

Meeting Date

822

Bill Number (if applicable)

Topic Beer

Amendment Barcode (if applicable)

Name Eric Criss

Job Title President

Address 110 S Monroe

Phone 850 491 3903

Street

Tally

32309

Email eric@floridabeer.org

City

State

Zip

Speaking: For [] Against [X] Information []

Waive Speaking: In Support [] Against [] (The Chair will read this information into the record.)

Representing Beer Industry of FL

Appearing at request of Chair: Yes [] No [X]

Lobbyist registered with Legislature: Yes [X] No []

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

4-5:30
110



THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18
Meeting Date

SB 822
Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior Vice President

Address 516 N Adams St

Phone 224-7173

Street

Tallahassee

FL

32301

City

State

Zip

Email bbevis@aif.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-10-18

Meeting Date

SB 822

Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Mac Stipanovich

Job Title Of Counsel

Address 101 North Monroe St #1090

Phone 850-681-0411

Street

Tallahassee FL

32301

Email mac.stipanovich@bipc.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Universal Orlando

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.10.18

Meeting Date

SB 822 ✓

Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Melanie Becker

Job Title Director Government Relations

Address 1000 Universal Studios Plaza
Street

Phone 407.363.8974

Orlando FL 32819
City State Zip

Email Melanie.beckers@universalorlando.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Universal Orlando resort

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

JAN 10TH 2018
Meeting Date

SB822
Bill Number (if applicable)

Topic BEVERAGE LAW

Amendment Barcode (if applicable)

Name RICHARD E. TURNER

Job Title V.P. LEGAL & LEGISLATIVE AFFAIRS

Address 230 S. ADAMS ST.

Phone 850 224-2250

Tallahassee FL 32301
City State Zip

Email RTURNER@FRLA.ORG

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA RESTAURANT & LODGING ASSN.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

APPEARANCE RECORD

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1/10/18 Meeting Date

822 Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name CAMERON YARBROUGH

Job Title GOVT AFFAIRS CONSULTANT

Address 215 S. MONROE ST

Phone 850/521-1727

TALAHASSEE FL 32301 City State Zip

Email cyarbrough@gunster.com

Speaking: [] For [] Against [] Information

Waive Speaking: [x] In Support [] Against (The Chair will read this information into the record.)

Representing SEA WORLD PARKS [REDACTED]

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD



1-10-18

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

822

Meeting Date

Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Jon Costello

Job Title lobbyist

Address 117 S Monroe St

Phone 681-6758

Street

Tallahassee

FL

32301

Email jon@ceuphlex.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing MillerCoors

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

January 10, 2018
Meeting Date

822
Bill Number (if applicable)

Topic Tied House Evil

Amendment Barcode (if applicable)

Name Josh Aubuchon

Job Title Attorney

Address 315 South Calhoun St.
Street

Phone 222-7000

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Brewers Guild

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18
Meeting Date

822
Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Kelly Mallette

Job Title _____

Address 104 W. Jefferson Street
Street

Phone 850-224-3427

Tallahassee, FL 32301
City State Zip

Email kelly@rlbeckpa.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Gold Coast Beverage Distributors / Florida Distributing and Reyes Holdings

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

APPEARANCE RECORD



1-10-17

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

822

Meeting Date

Bill Number (if applicable)

Topic Beverage Law

Amendment Barcode (if applicable)

Name Natalie Keris

Job Title VP / COO

Address 235 W Brandon Blvd

Phone 813 924 8218

Street Brandon City FL State 33511 Zip

Email Natalie@psaconsulting.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Peper's Distributing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18

Meeting Date

Bill Number (if applicable)

796678

Amendment Barcode (if applicable)

Topic Beer

Name Eric Criss

Job Title President

Address 110 S. Monroe
Street

Phone 850 491 3903

Tally 32309
City State Zip

Email eric@floridabeer.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Beer Industry of FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-10-17

Meeting Date

822

Bill Number (if applicable)

306370

Amendment Barcode (if applicable)

Topic Beverage Law

Name Natalie King

Job Title VP/COO

Address 235 W Brandon Blvd 640

Street

Phone 813 9248218

Brandon Blvd Fl 33611

City

State

Zip

Email Natalie@rsaconsulting.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Peper Distributing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18

Meeting Date

822

Bill Number (if applicable)

306370

Amendment Barcode (if applicable)

Topic Beverage Law

Name Kelly Mallette

Job Title _____

Address 104 W. Jefferson Street

Street

Phone 850-224-3427

Tallahassee, FL 32301

City

State

Zip

Email kelly@hbrookpa.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Gold Coast Beverage Distributors and Reyes Holdings Florida Distributing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18
Meeting Date

Bill Number (if applicable)

306370

Amendment Barcode (if applicable)

Topic Beer / theme parks

Name Eric Criss

Job Title President

Address 110 S. Monroe
Street

Phone 850.491.390

Tallahassee FL 32309
City State Zip

Email eric@floridabeer.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Beer Industry of FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.10.18

Meeting Date

SB 822

Bill Number (if applicable)

306370

Amendment Barcode (if applicable)

Topic Beverage Law

Name Mac Stipanovich

Job Title of counsel

Address 101 N Monroe suite 101

Phone 850-681-0911

Street

Tallahassee

FL

State

32301

Zip

Email mac.stipanovich@bipc.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Universal Orlando Resort

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Regulated Industries

BILL: CS/SB 876

INTRODUCER: Regulated Industries Committee and Senator Bean

SUBJECT: Alarm Verification

DATE: January 10, 2018 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kraemer	McSwain	RI	Fav/CS
2.			CA	
3.			RC	

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 876 revises s. 489.529, F.S., to require, in most circumstances, two attempts to confirm alarm signals generated by residential or commercial intrusion and burglary alarms systems that have central monitoring, before law enforcement may be contacted for response to the premises generating the alarm.

The bill requires the first attempt to confirm an active alarm signal be made by the central monitoring station, via communication by telephone call, text message, or other electronic means, with a person associated with the premises generating the alarm signal. If the first attempt to confirm the alarm signal is unsuccessful, then the central monitoring station must attempt to confirm the alarm signal a second time, via communication by telephone call, text message, or other electronic means, with the premises owner, an occupant, or an authorized designee.

Under current law, contact with law enforcement for a response to an alarm may not be made unless a “central monitoring verification call” is made to a telephone number associated with the premises,¹ and if that call is not answered, then other, undefined “call-verification methods” for the premises must be employed.

CS/SB 876 has no impact on state government. See Section V, Fiscal Impact Statement.

¹ Section 498.529, F.S., was revised effective October 1, 2017, to require the first verification call be made to a telephone number associated with the premises. See ch. 2017-52, s. 2, Laws of Fla.

The bill provides an effective date of July 1, 2018.

II. Present Situation:

An alarm system is “any electrical device, signaling device, or combination of electrical devices used to signal or detect a burglary, fire, robbery, or medical emergency.”² An alarm system includes home-automation equipment, thermostats, closed-circuit television systems, and video cameras.³ Alarm systems contractors must be licensed, have sufficient technical expertise in the trade prior to licensure, and be tested on technical and business matters.⁴ Part II of ch. 489, F.S., deals with the licensing of electrical and alarm systems contractors who install such alarms.⁵

Verification of Intrusion/Burglary Alarm Signals

All residential or commercial intrusion/burglary alarms with central monitoring must have a central monitoring verification call made to a telephone number associated with the premises generating the alarm signal, before alarm monitor personnel may contact a law enforcement agency for dispatch of law enforcement officers to the premises.⁶ The central monitoring station must employ call-verification methods for the premises generating the alarm signal, if the first call is not answered.⁷

Verification calling is not required, however, if the intrusion/burglary alarm:

- Has a properly operating visual or auditory sensor that enables the monitoring personnel to verify the alarm signal; or
- Is installed on a premises used for the storage of firearms or ammunition by a customer who holds a valid federal firearms license as a manufacturer, importer, or dealer of firearms or ammunition (licensed firearms dealer),⁸ who has notified the alarm monitoring company that he or she would like to bypass the two-call verification protocol.⁹

Upon initiation of a new alarm monitoring service contract, an alarm monitoring company must make reasonable efforts to inform a customer who is a licensed firearms dealer of the right to opt out of the two-call verification protocol.¹⁰

² See s. 489.505(1), F.S.

³ See s. 553.793(1)(b), F.S.

⁴ See s. 489.501, F.S.

⁵ See ss. 489.501 through 489.538, F.S.

⁶ See s. 489.529, F.S.

⁷ *Id.*

⁸ The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) notes that each year, it receives thousands of reports of theft or loss from federally licensed firearms dealers. The steps that the ATF recommends to protect a firearms business include store design measures, after-hours security methods, reinforcement and narrowing of store door and window openings, alarm systems, and 24-hour video camera recording adequate to capture faces and features. See <https://www.atf.gov/firearms/learn-about-firearms-safety-and-security> (last visited Jan. 4, 2018).

⁹ See s. 489.529, F.S.

¹⁰ See s. 489.529(2), F.S.

Licensed Alarm System Contractors

Part II of ch. 489, F.S., dealing with electrical and alarm system contracting, sets forth requirements for qualified persons to be licensed if they have sufficient technical expertise in the applicable trade, and have been tested on technical and business matters.¹¹ The Electrical Contractors' Licensing Board (board) in the Department of Business and Professional Regulation (DBPR) implements Part II of ch. 489, F.S.¹² An alarm system is “any electrical device, signaling device, or combination of electrical devices used to signal or detect a burglary, fire, robbery, or medical emergency.”¹³ An alarm system includes home-automation equipment, thermostats, closed-circuit television systems, and video cameras.¹⁴

Section 489.505, F.S., specifies the types of contractors that may lay out, fabricate, install, maintain, alter, repair, monitor, inspect, replace, or service alarm systems. An alarm system contractor is a person whose business includes the execution of contracts requiring the ability, experience, science, knowledge, and skill to conduct all alarm services for compensation, for all types of alarm systems for all purposes.¹⁵ The term also includes any person, firm, or corporation that engages in the business of alarm contracting under an expressed or implied contract or that undertakes, offers to undertake, or submits a bid to engage in the business of alarm contracting.¹⁶ An alarm system contractor whose business includes all types of alarm systems for all purposes is designated as an “alarm system contractor I;” the practice area of an “alarm system contractor II” is identical except it does not include fire alarm systems.¹⁷

The DBPR may also issue geographically unlimited certificates of competency to an alarm system contractor (certificateholder).¹⁸ The scope of certification is limited to specific alarm circuits and equipment, and no mandatory licensure requirement is created by the availability of a certification.¹⁹

Part IV of ch. 553, F.S., constitutes the Florida Building Codes Act (act). The act provides a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of the Florida Building Code, consisting of a single set of documents that apply to the design, construction, erection, alteration, modification, repair, or demolition of public or private

¹¹ See s. 489.501, F.S.

¹² See ss. 489.507 through 489.517, F.S., concerning the powers and duties of the board.

¹³ See s. 489.505(1), F.S.

¹⁴ See s. 553.793(1)(b), F.S.

¹⁵ See s. 489.505(2), F.S.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ See ss. 489.505(4), 489.505(5), and 489.515(1), F.S.

¹⁹ See s. 489.505(7), F.S., which describes the limitations on the scope of a certificate of competency as those circuits originating in alarm control panels and equipment governed by the Articles 725, 760, 770, 800, and 810 of the National Electrical Code, Current Edition, and National Fire Protection Association Standard 72, Current Edition, as well as the installation, repair, fabrication, erection, alteration, addition, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof not to exceed 98 volts (RMS), when those items are for the purpose of transmitting data or proprietary video (satellite systems that are not part of a community antenna television or radio distribution system) or providing central vacuum capability or electric locks. With respect to voltage and current, RMS is the abbreviation for “root mean square,” a statistical term defined as the square root of mean square. See <http://www.practicalphysics.org/explaining-rms-voltage-and-current.html> (last visited Jan. 4, 2018).

buildings, structures, or facilities, and to the enforcement of such requirements.²⁰ The Florida Building Code is adopted, modified, updated, interpreted, and maintained by the Florida Building Commission.²¹

Pursuant to s. 553.88, F.S., the current edition of the following standards are in effect to establish minimum electrical and alarm standards in Florida:

- National Electrical Code, NFPA²² No. 70;
- Underwriters' Laboratories, Inc. (UL), Standards for Safety, Electrical Lighting Fixtures, and Portable Lamps, UL 57 and UL 153;
- Underwriters' Laboratories, Inc., Standard for Electric Signs, UL 48;
- The provisions of the following which prescribe minimum electrical and alarm standards:
 - NFPA No. 56A, Inhalation Anesthetics;
 - NFPA No. 56B, Respiratory Therapy;
 - NFPA No. 56C, Laboratories in Health-related Institutions;
 - NFPA No. 56D, Hyperbaric Facilities;
 - NFPA No. 56F, Nonflammable Medical Gas Systems;
 - NFPA No. 72, National Fire Alarm Code; and
 - NFPA No. 76A, Essential Electrical Systems for Health Care Facilities;
- The rules and regulations of the Department of Health, entitled "Nursing Homes and Related Facilities Licensure"; and
- The minimum standards for grounding of portable electric equipment in Florida Administrative Code Rule Chapter 8C-27, as recommended by the Division of Workers' Compensation in the Department of Financial Services.

Section 553.71(5), F.S., provides that a local enforcement agency²³ is an agency with jurisdiction to make inspections of buildings and to enforce the codes that establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures, or facilities. A local enforcement agency must make uniform permit labels available for purchase by a contractor for the installation or replacement of a new or existing alarm system for not more than \$40 per label per project per unit, and may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of an alarm system.²⁴

²⁰ See s. 553.72(1), F.S., which also indicates that effective and reasonable protection for public safety, health, and general welfare at the most reasonable cost to the consumer is also intended.

²¹ See s. 553.72(3), F.S.

²² NFPA is the acronym for the National Fire Protection Association, which is an international nonprofit organization established in 1896. Its mission is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes, standards, research, training and education. The NFPA develops, publishes, and disseminates more than 300 consensus codes and standards intended to minimize the possibility and effects of fire and other risks. See <http://www.nfpa.org/about-nfpa> (last visited Jan. 2, 2018).

²³ Section 553.71(5), F.S., of the Florida Building Codes Act defines local enforcement agency as an agency of local government, a local school board, a community college board of trustees, or a university board of trustees in the State University System with jurisdiction to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures, or facilities.

²⁴ See s. 553.793(5), F.S.

A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with s. 553.793, F.S.²⁵

III. Effect of Proposed Changes:

CS/SB 876 revises s. 489.529, F.S., to require, in most circumstances, two attempts to confirm alarm signals generated by residential or commercial intrusion and burglary alarms systems that have central monitoring, before law enforcement may be contacted for response to the premises generating the alarm.

The bill requires the first attempt to confirm an active alarm signal be made by the central monitoring station, via communication by telephone call, text message, or other electronic means, with a person associated with the premises generating the alarm signal. If the first attempt to confirm the alarm signal is unsuccessful, then the central monitoring station must attempt to confirm the alarm signal a second time via communication by telephone call, text message, or other electronic means, with the premises owner, an occupant, or an authorized designee.

Under current law, contact with law enforcement for a response to an alarm may not be made unless a “central monitoring verification call” is made to a telephone number associated with the premises,²⁶ and if that call is not answered, then other, undefined “call-verification methods” for the premises must be employed.

The authorization in current law for immediate contact with law enforcement for a response to an active alarm is retained, when the intrusion/burglary alarm generating the alarm:

- Has a properly operating visual or auditory sensor that allows monitoring personnel to verify the alarm signal; or
- Is installed on a premises that is used for the storage of firearms or ammunition by a person who holds a valid federal firearms license.²⁷

The bill provides an effective date of July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

²⁵ See s. 553.793(10), F.S.

²⁶ Section 498.529, F.S. was revised effective October 1, 2017, to require the first verification call be made to a telephone number associated with the premises. See ch. 2017-52, s. 2, Laws of Fla.

²⁷ *Id.*

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

CS/SB 876 provides additional methods for confirmation of an alarm signal generated at a residential or commercial premises with a centrally monitored intrusion/burglary alarm and could assist in reducing the number of alarm dispatch calls to law enforcement agencies.

C. Government Sector Impact:

Reductions in false alarms may reduce the costs of responses to intrusion/burglary alarms by local governments and law enforcement agencies.

Reduction of false alarm calls may alleviate the associated burden to law enforcement agencies that must respond to premises generating intrusion/burglary alarms. Authorizing the use of text messages and other electronic means as methods that may be used in addition to telephone calls to attempt to confirm an alarm signal with a person associated with the premises generating the alarm signal may reduce false alarms.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 489.529 of the Florida Statutes.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Regulated Industries on January 10, 2018:

The committee substitute:

- Expands the methods for verification of an alarm signal generated by residential or commercial intrusion/burglary alarms that have central monitoring, before law

enforcement is contacted for response to the premises, to allow – in addition to a telephone call – verification by:

- A text message; or
- Other electronic means.
- Requires a second attempt to verify the alarm signal be made (if the first attempt is not successful) with the premises owner, occupant, or an authorized designee, by:
 - A telephone call;
 - A text message; or
 - Other electronic means.
- Deletes the bill’s provisions that:
 - Alarm monitoring personnel make the first attempt at verifying the alarm signal;
 - The first verification attempt be made to persons “at” the premises generating the alarm signal; and
 - Refer to alarm “confirmation” to maintain consistency with references in current law to alarm “verification” and “verification protocol.”
- Revises the short title of the bill to “Alarm Verification” from “Alarm Confirmation.”

B. Amendments:

None.



848964

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2018	.	
	.	
	.	
	.	

The Committee on Regulated Industries (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 489.529, Florida Statutes, is amended to
read:

489.529 Alarm verification ~~calls~~ required.—All residential
or commercial intrusion/burglary alarms that have central
monitoring must have the a central monitoring station attempt to
verify an alarm signal via communication by telephone



848964

11 ~~verification~~ call, text message, or other electronic means with
12 a person made to a telephone number associated with the premises
13 generating the alarm signal, before alarm monitor personnel
14 contact a law enforcement agency for alarm dispatch. The central
15 monitoring station must attempt to verify ~~employ call-~~
16 ~~verification methods for the premises generating the alarm~~
17 signal a second time via communication by telephone call, text
18 message, or other electronic means with the premises owner,
19 occupant, or his or her authorized designee if the first attempt
20 to verify the alarm signal ~~call~~ is not successful ~~answered~~.

21 However, verification attempts ~~calling~~ is not required if:

22 (1) The intrusion/burglary alarm has a properly operating
23 visual or auditory sensor that enables the alarm monitoring
24 personnel to verify the alarm signal; or

25 (2) The intrusion/burglary alarm is installed on a premises
26 that is used for the storage of firearms or ammunition by a
27 person who holds a valid federal firearms license as a
28 manufacturer, importer, or dealer of firearms or ammunition,
29 provided the customer notifies the alarm monitoring company that
30 he or she holds such license and would like to bypass the two-
31 attempt ~~two-call~~ verification protocol. Upon initiation of a new
32 alarm monitoring service contract, the alarm monitoring company
33 shall make reasonable efforts to inform a customer who holds a
34 valid federal firearms license as a manufacturer, importer, or
35 dealer of firearms or ammunition of his or her right to opt out
36 of the two-attempt ~~two-call~~ verification protocol.

37 Section 2. This act shall take effect July 1, 2018.

38
39 ===== T I T L E A M E N D M E N T =====



848964

40 And the title is amended as follows:

41 Delete everything before the enacting clause
42 and insert:

43 A bill to be entitled

44 An act relating to alarm verification; amending s.
45 489.529, F.S.; revising requirements for alarm
46 verification to include additional methods by which an
47 alarm monitoring company may verify a residential or
48 commercial intrusion/burglary alarm signal and to
49 require that two attempts be made to verify an alarm
50 signal; providing an effective date.

By the Committee on Regulated Industries; and Senator Bean

580-02001-18

2018876c1

1 A bill to be entitled
2 An act relating to alarm verification; amending s.
3 489.529, F.S.; revising requirements for alarm
4 verification to include additional methods by which an
5 alarm monitoring company may verify a residential or
6 commercial intrusion/burglary alarm signal and to
7 require that two attempts be made to verify an alarm
8 signal; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
11

12 Section 1. Section 489.529, Florida Statutes, is amended to
13 read:

14 489.529 Alarm verification ~~calls~~ required.—All residential
15 or commercial intrusion/burglary alarms that have central
16 monitoring must have the a central monitoring station attempt to
17 verify an alarm signal via communication by telephone
18 verification call, text message, or other electronic means with
19 a person made to a telephone number associated with the premises
20 generating the alarm signal, before alarm monitor personnel
21 contact a law enforcement agency for alarm dispatch. The central
22 monitoring station must attempt to verify employ call-
23 verification methods for the premises generating the alarm
24 signal a second time via communication by telephone call, text
25 message, or other electronic means with the premises owner,
26 occupant, or his or her authorized designee if the first attempt
27 to verify the alarm signal call is not successful answered.

28 However, verification attempts are calling is not required if:

29 (1) The intrusion/burglary alarm has a properly operating

580-02001-18

2018876c1

30 visual or auditory sensor that enables the alarm monitoring
31 personnel to verify the alarm signal; or

32 (2) The intrusion/burglary alarm is installed on a premises
33 that is used for the storage of firearms or ammunition by a
34 person who holds a valid federal firearms license as a
35 manufacturer, importer, or dealer of firearms or ammunition,
36 provided the customer notifies the alarm monitoring company that
37 he or she holds such license and would like to bypass the two-
38 attempt ~~two-call~~ verification protocol. Upon initiation of a new
39 alarm monitoring service contract, the alarm monitoring company
40 shall make reasonable efforts to inform a customer who holds a
41 valid federal firearms license as a manufacturer, importer, or
42 dealer of firearms or ammunition of his or her right to opt out
43 of the two-attempt ~~two-call~~ verification protocol.

44 Section 2. This act shall take effect July 1, 2018.



The Florida Senate

Committee Agenda Request

To: Senator Travis Hutson, Chair
Committee on Regulated Industries

Subject: Committee Agenda Request

Date: December 4, 2017

I respectfully request that **Senate Bill # 876**, relating to Alarm Confirmation, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in blue ink that reads "Aaron Bean".

Senator Aaron Bean
Florida Senate, District 4

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Regulated Industries

BILL: CS/SB 1020

INTRODUCER: Regulated Industries Committee and Senator Young

SUBJECT: Alcohol Deliveries

DATE: January 10, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	McSwain	RI	Fav/CS
2.			CM	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1020 permits an alcoholic beverage vendor to make deliveries away from the licensed place of business for electronic orders received at the vendor's licensed place of business. An electronic order received at the licensed place of business is construed as a sale actually made at the vendor's licensed place of business. Current law permits only telephone or mail orders received at a vendor's licensed place of business to be construed as a sale actually made at the vendor's licensed place of business.

Additionally, the bill permits an alcoholic beverage manufacturer, distributor, or vendor to make deliveries away from its licensed place of business in vehicles that are under the licensee's control and direction pursuant to a contract with a third party with whom the licensee has contracted to make deliveries, including, but not limited to, a common carrier. Current law permits an alcoholic beverage manufacturer, distributor, or a vendor to make deliveries away from its place of business only in vehicles that are owned or leased by the vendor.

The effective date of the bill is July 1, 2018.

II. Present Situation:

Division of Alcoholic Beverages and Tobacco

The Division of Alcoholic Beverages and Tobacco (division) within the Department of Business and Professional Regulation administers and enforces the Beverage Law,¹ which regulates the manufacture, distribution, and sale of wine, beer, and liquor.² The division is also responsible for the administration and enforcement of tobacco products under ch. 569, F.S.

Deliveries by Licensees

Section 561.57(1), F.S., permits an alcoholic beverages vendor to make deliveries away from its place of business for sales made at the licensed place of business. Telephone or mail orders received at a vendor's licensed place of business are construed as a sale actually made at the vendor's licensed place of business.³ Current law does not address orders received via the Internet or other electronic forms of communication.

Deliveries made by a manufacturer, distributor, or a vendor away from its place of business may only be made in vehicles owned or leased by the licensee. By acceptance of an alcoholic beverage license and the use of vehicles owned by or leased by the vendor, the vendor agrees the vehicle is subject to be inspected and searched without a search warrant by employees of the division or law enforcement officers to ascertain compliance with all provisions of the alcoholic beverage laws.⁴

Common carriers⁵ may transport alcoholic beverages.⁶ However, current law does not authorize manufacturers, distributors, and vendors to use common carriers to make deliveries.

A "permit carrier" is a licensee authorized to make deliveries under s. 561.57, F.S.⁷

III. Effect of Proposed Changes:

The bill amends s. 561.57(1), F.S., to permit an alcoholic beverage vendor to make deliveries away from its licensed place of business for electronic orders received at the vendor's licensed place of business. An electronic order received at the licensed place of business is construed as a sale actually made at the vendor's licensed place of business.

¹ Section 561.01(6), F.S., provides that the "Beverage Law" means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.

² Section 565.01, F.S., defines the terms "liquor," "distilled spirits," "spirituous liquors," "spirituous beverages," or "distilled spirituous liquors" to mean "that substance known as ethyl alcohol, ethanol, or spirits of wine in any form, including all dilutions and mixtures thereof from whatever source or by whatever process produced."

³ Section 561.57(1), F.S.

⁴ Section 561.57(2), F.S.

⁵ Section 561.01(19), F.S., defines a "common carrier" as "any person, firm, or corporation that undertakes for hire, as a regular business, the transportation of persons or commodities from place to place, offering its services to all who choose to employ it and pay its charges."

⁶ Section 561.57(5), F.S.

⁷ Section 561.01(20), F.S.

The delivery limitation in s. 561.57(2), F.S., is revised by the bill to permit a manufacturer, distributor, or vendor to make deliveries away from its licensed place of business in vehicles that are under the licensee's control and direction pursuant to a contract with a third party with whom the vendor has contracted to make deliveries, including, but not limited to, a common carrier.

The effective date of the bill is July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

An alcoholic beverage vendor could make deliveries away from its licensed place of business for electronic orders received at the vendor's licensed place of business.

A manufacturer, distributor, or vendor will be permitted to contract with a third party, including common carriers, to make deliveries in vehicles under the control and direction of the vendor pursuant to a contract with the third party with whom the licensee has contracted to make deliveries.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section 561.57(2), F.S., provides that, by acceptance of an alcoholic beverage license, a vendor is presumed to agree to the inspection of its delivery vehicle without a search warrant by

employees of the division or law enforcement officers to ascertain compliance with all provisions of the alcoholic beverage laws. This presumption does not extend to a third party, who is not an alcoholic beverage licensee, making deliveries of alcoholic beverages as authorized by the bill. Consequently, before inspecting a delivery vehicle owned or leased by a third party non-licensee, employees of the division or law enforcement may need to obtain consent from the third party before such a search, obtain a search warrant from a court based on a finding of probable cause, or conduct a warrantless search of the vehicle if it is readily mobile and law enforcement has probable cause to believe that the vehicle contains contraband or other evidence of a crime,⁸ or if there are exigent circumstances for the conduct of the search.⁹

VIII. Statutes Affected:

This bill substantially amends section 561.57 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Regulated Industries Committee on January 10, 2018:

The committee substitute revises the bill to add the condition that the vehicles used by a third party, including common carriers, to make deliveries for the vendor must be under the control and direction of the vendor pursuant to a contract with the third party with whom the vendor has contracted to make deliveries.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁸ See *State v. Ross*, 209 So.3d 606 (Fla. 2d DCA 2016); and *State v. Green*, 943 So.2d 1004 (Fla. 2d DCA 2006).

⁹ The factors indicating exigent circumstances may include (1) the gravity or violent nature of the offense with which the suspect is to be charged; (2) a reasonable belief that the suspect is armed; (3) probable cause to believe that the suspect committed the crime; (4) strong reason to believe that the suspect is in the premises being entered; and (5) a likelihood that delay could cause the escape of the suspect or the destruction of essential evidence, or jeopardize the safety of officers or the public. *Lee v. State*, 856 So.2d 1133 (Fla. 1st DCA 2003), citing *United States v. Standridge*, 810 F.2d 1034, 1037 (11th Cir.), cert. denied, 481 U.S. 1072, 107 S.Ct. 2468, 95 L.Ed.2d 877 (1987).



794362

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2018	.	
	.	
	.	
	.	

The Committee on Regulated Industries (Young) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 24
and insert:
in vehicles that ~~which~~ are owned or leased by the licensee or
that are under the licensee's control and direction pursuant to
a contract with a third party with whom the licensee has
contracted with to make

===== T I T L E A M E N D M E N T =====



794362

11 And the title is amended as follows:

12 Delete lines 5 - 7

13 and insert:

14 licensed place of business; authorizing a
15 manufacturer, distributor, or vendor to make certain
16 deliveries in vehicles that are under the licensee's
17 control and direction pursuant to a contract with a
18 third party; providing an

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Health Policy, *Chair*
Appropriations Subcommittee on Pre-K - 12
Education, *Vice Chair*
Commerce and Tourism
Communications, Energy, and Public Utilities
Regulated Industries

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR DANA YOUNG

18th District

December 14, 2017

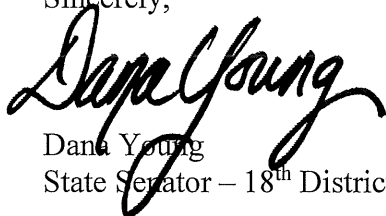
Senator Travis Hutson, Chair
Senate Regulated Industries Committee
330 Knott Building
404 S. Monroe Street
Tallahassee, Florida 32399-1100

Dear Chair Hutson,

My Senate Bill 1020 regarding Alcohol Deliveries has been referred to your committee. I respectfully request that this bill be placed on your next available agenda.

If you have any questions, please do not hesitate to reach out to me.

Sincerely,



Dana Young
State Senator – 18th District

cc: Ross McSwain, Staff Director – Senate Regulated Industries Committee

REPLY TO:

- 1211 N. Westshore Blvd, Suite 409, Tampa, Florida 33607 (813) 281-5507
- 316 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

JAN 10th 2018

Meeting Date

SB 1020

Bill Number (if applicable)

Topic Alcohol Deliveries

Amendment Barcode (if applicable)

Name Richard TURNER

Job Title V.P. Legal & Legislative Affairs

Address 230 S. Adams

Phone 850 224-2250

Street

Tallahassee FL

City

State

32301

Zip

Email RTURNER@FRLA.ORG

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Restaurant & Lodging Assn.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18
Meeting Date

SB 1020
Bill Number (if applicable)

Topic SB 1020- Alcohol Deliveries

Amendment Barcode (if applicable)

Name Jake Farmer

Job Title Legislative Coordinator

Address 227 S Adams Street

Phone 352-359-6835

Tallahassee FL 32301

Email Jake@frf.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Retail Federation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10 January 2018

Meeting Date

1020

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Unger, Jason L.

Job Title lobbyist

Address 301 S. Bronough Street, Ste. 600

Phone 850-577-9090

Street

Tallahassee

FL

32301

Email jason.unger@gray-robinson.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Target Corporation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/10/18

Meeting Date

1020

Bill Number (if applicable)

Topic Alcohol Delivery

Amendment Barcode (if applicable)

Name Stephanie Smith

Job Title Senior Public Policy Manager

Address 80 SW 8th Street, Ste 1830

Phone 813 300 4901

Street

Miami, FL 33130

Email smiths@uber.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Uber Technologies

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By the Committee on Regulated Industries; and Senator Young

580-02002-18

20181020c1

1 A bill to be entitled
2 An act relating to alcohol deliveries; amending s.
3 561.57, F.S.; including an electronic order as a type
4 of order construed as a sale made at a vendor's
5 licensed place of business; authorizing a
6 manufacturer, distributor, or vendor to make certain
7 deliveries in vehicles that are under the licensee's
8 control and direction pursuant to a contract with a
9 third party; providing an effective date.

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

12
13 Section 1. Subsections (1) and (2) of section 561.57,
14 Florida Statutes, are amended to read:

15 561.57 Deliveries by licensees.—

16 (1) Vendors shall be permitted to make deliveries away from
17 their places of business of sales actually made at the licensed
18 place of business; provided, telephone, electronic, or mail
19 orders received at a vendor's licensed place of business shall
20 be construed as a sale actually made at the vendor's licensed
21 place of business.

22 (2) Deliveries made by a manufacturer, distributor, or
23 vendor away from his or her place of business may be made only
24 in vehicles that which are owned or leased by the licensee or
25 that are under the licensee's control and direction pursuant to
26 a contract with a third party with whom the licensee has
27 contracted with to make deliveries, including, but not limited
28 to, common carriers. By acceptance of an alcoholic beverage
29 license and the use of such vehicles, the licensee agrees that

580-02002-18

20181020c1

30 such vehicle shall always be subject to be inspected and
31 searched without a search warrant, for the purpose of
32 ascertaining that all provisions of the alcoholic beverage laws
33 are complied with, by authorized employees of the division and
34 also by sheriffs, deputy sheriffs, and police officers during
35 business hours or other times the vehicle is being used to
36 transport or deliver alcoholic beverages.

37 Section 2. This act shall take effect July 1, 2018.

CourtSmart Tag Report

Room: EL 110
Caption: Senate Regulated Industries

Case No.:
Judge:

Type:

Started: 1/10/2018 4:07:51 PM

Ends: 1/10/2018 4:52:47 PM

Length: 00:44:57

4:07:53 PM Meeting is called to order
4:07:55 PM Pledge of allegiance
4:08:19 PM Attendance roll call
4:08:47 PM Quorum present
4:09:06 PM Senator Braynon excused
4:09:08 PM Tab 2 - SB 876
4:09:16 PM Senator Bean recognized to explain bill
4:09:32 PM Take up strike all amendment barcode 848964
4:10:40 PM Questions?
4:10:43 PM Senator Brandes questions
4:10:54 PM Senator Bean answers
4:11:22 PM Debate?
4:11:24 PM No Debate
4:11:27 PM Amendment adopted
4:11:33 PM Questions on bill?
4:11:36 PM Debate?
4:11:40 PM Waive close
4:11:43 PM Roll call vote
4:11:59 PM CS/SB 876 reported favorably
4:12:05 PM Tab 3 SB 1020
4:12:13 PM Senator Young recognized
4:12:56 PM Take up amendment 794362
4:13:19 PM Debate?
4:13:22 PM Amendment is adopted
4:13:26 PM Back on bill as amended
4:13:29 PM Questions?
4:13:35 PM Senator Thurston questions
4:14:02 PM Back and forth with Senator Young
4:14:10 PM No questions
4:14:13 PM Richard Turner, Florida Restaurant and Lodging Association, waive in support
4:14:26 PM Jake Farmer, Florida Retail Federation, waives in support
4:14:30 PM Jason Unger, Target Corporation, waives in support
4:14:39 PM Stephanie smith waives in support
4:14:47 PM Debate on bill?
4:14:50 PM Waive close
4:14:55 PM Roll call vote
4:15:21 PM CS/SB 1020 is reported favorably
4:15:28 PM Tab 1 SB 822
4:15:34 PM Chair turned over to Vice-Chair Hukill
4:15:37 PM SB 822
4:15:43 PM Senator Hutson recognized
4:16:33 PM Questions?
4:16:41 PM Take up late filed amendment barcode 796678
4:16:50 PM Senator Young recognized to explain amendment
4:17:46 PM Questions on amendment?
4:17:49 PM Appearance form
4:17:59 PM Eric Criss waives in support of amendment
4:18:16 PM Debate on amendment?
4:18:22 PM Senator Hutson in debate
4:18:49 PM Senator Young waives close
4:18:54 PM Amendment is adopted
4:19:12 PM Take up late filed amendment barcode 306370 by Senator Steube

4:19:19 PM Senator Steube explains amendment
4:19:51 PM Senator Gibson questions
4:20:23 PM Senator Steube -back and forth with Senator Gibson
4:21:23 PM Senator Hutson questions
4:22:08 PM Senator Steube response
4:22:14 PM Back and forth
4:22:36 PM Questions?
4:22:39 PM No further questions
4:22:42 PM Appearance forms
4:22:55 PM Natalie King, Pepin Distributing, waives in support
4:23:07 PM Kelly Mallette, Gold Coast Beverage Distributors/ Florida Distributors and Reyes Holdings, waives in support
4:23:30 PM Eric Criss, Beer Industry of FL, waives in support of amendment
4:24:01 PM Mac Stipanovich representing Universal Orlando in support
4:24:51 PM Debate on amendment?
4:24:54 PM Senator Hutson in debate
4:26:58 PM Senator Gibson in debate
4:28:08 PM Senator Young in debate
4:28:49 PM Senator Brandes in debate
4:29:07 PM Senator Steube closes on amendment
4:29:40 PM Amendment is withdrawn
4:29:55 PM Back on bill as amended
4:30:01 PM Appearance forms
4:30:09 PM Eric Criss, Beer Industry of FL, speaks in opposition
4:31:58 PM Senator Hutson
4:33:46 PM Brewster Bevis, Associated Industries of Florida, waives in support
4:34:08 PM Mac Stipanovich, Universal Orlando, speaks
4:36:56 PM Questions?
4:37:01 PM Senator Steube questions
4:40:00 PM Melanie Becker, Universal Orlando Resort, in support
4:40:12 PM Richard Turner, Florida Restaurant and Lodging Assoc, waives in support
4:40:20 PM Cameron Yarbrough, SeaWorld Parks, waives in support
4:40:34 PM Jon Costello, Miller Coors, waives in opposition
4:40:55 PM Josh Aubuchon, Florida Brewers Guild, speaking in opposition
4:42:30 PM Kelly Mallette, Gold Coast Beverage Distributors/ Florida Distributions and Reyes Holdings, speaks in opposition
4:44:17 PM Senator Young questions
4:44:54 PM Senator Hutson speaks
4:45:34 PM Natalie King, Pepin Distributing, speaks in opposition
4:46:49 PM No further appearance forms
4:47:00 PM Debate on bill
4:47:06 PM Senator Gibson in debate
4:49:39 PM Senator Thurston in debate
4:50:33 PM No further debate
4:50:38 PM Senator Hutson closes on bill
4:51:38 PM Roll call vote
4:52:04 PM CS/SB 822 is reported favorably
4:52:21 PM Motion from Senator Gibson - voting in affirmative on SB 876
4:52:28 PM Chair turned back to Senator Hutson
4:52:40 PM Meeting is adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Rules, *Vice Chair*
Appropriations
Appropriations Subcommittee on the Environment
and Natural Resources
Banking and Insurance
Ethics and Elections
Regulated Industries

JOINT COMMITTEE:

Joint Legislative Budget Commission

SENATOR OSCAR BRAYNON II

Democratic Leader
35th District

January 10, 2018

Senator Hutson, Chair
Regulated Industries
314 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1300

Dear Chair Hutson:

I respectfully request an excused absence for the *Regulated Industries* meeting on, January 10, 2018.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Oscar Braynon II".

Senator Oscar Braynon II,
District 35

A handwritten signature in black ink, appearing to read "Ross McSwain".

cc.

Ross McSwain, Staff Director
Lynn Koon, Committee Administrative Asst., Rm 330 Knott

REPLY TO:

- 606 NW 183rd Street, Miami Gardens, Florida 33169 (305) 654-7150 FAX: (888) 284-8589
- 200 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5035

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore