

Committee on Regulated Industries

CS/HB 667 — Beverage Law

by Commerce Committee; and Rep. Perez and others (CS/CS/CS/SB 1020 by Rules Committee; Commerce and Tourism Committee; Regulated Industries Committee; and Senators Young, Hutson, and Brandes)

The bill permits 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 a licensed place of business is construed as a sale actually made at a 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 vendor to make deliveries away from its licensed place of business in third-party vehicles 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 owned or leased by the vendor.

Under current law and the bill, an alcoholic beverage vendor, by acceptance of an alcoholic beverage license, 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.

The bill also requires the identity and age of the recipient to be confirmed upon delivery of an alcoholic beverage.

A craft brewery licensed as an alcoholic beverage vendor under s. 561.221(2), F.S., is prohibited from making deliveries.

If approved by the Governor, these provisions take effect July 1, 2018.

Vote: Senate 35-1; House 110-4