

By Representative Villalobos

1 A bill to be entitled
2 An act relating to the beverage law; amending
3 s. 561.24, F.S.; including manufacturers of
4 wine within a group of manufacturers who may
5 not be licensed as distributors or registered
6 exporters; providing an exception; providing an
7 effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsections (1), (2), (3), (4), and (5) of
12 section 561.24, Florida Statutes, are amended to read:

13 561.24 Licensing manufacturers as distributors or
14 registered exporters prohibited; procedure for issuance and
15 renewal of distributors' licenses and exporters'
16 registrations.--

17 (1) A manufacturer, rectifier, or distiller that
18 manufactures, rectifies, or distills spirituous liquors or
19 wine may not be granted a license as a distributor and may not
20 register as an exporter.

21 (2) A manufacturer, rectifier, or distiller that
22 manufactures, rectifies, or distills spirituous liquors or
23 wine may not be granted a renewal of a license or registration
24 previously held as a distributor or exporter.

25 (3) If the applicant for a distributor's license or
26 exporter's registration, or renewal thereof, is an individual
27 or copartnership, such individual or copartnership is within
28 the provisions of subsection (1) or subsection (2), as the
29 case may be, if the individual or any member of the
30 copartnership is interested or connected, directly or
31 indirectly, with any corporation which is engaged directly or

1 indirectly or through any subsidiary or affiliate corporation,
2 including any stock ownership as set forth in subsection (4),
3 in manufacturing, rectifying, or distilling spirituous liquors
4 ~~<U>~~or wine. If any individual or any member of such
5 copartnership within 6 months next preceding the making of an
6 application hereunder has been interested or connected as
7 provided by this subsection, such individual or such member of
8 the copartnership shall be prima facie presumed to be so
9 interested or connected with such corporation at the time of
10 the making of the application, and such prima facie
11 presumption shall continue until overcome by the applicant.

12 (4) If the applicant for a distributor's license or
13 exporter's registration, or for the renewal thereof, is a
14 corporation, such corporation is within the provisions of
15 subsections (1) and (2), as the case may be, if such
16 corporation is affiliated with, directly or indirectly, any
17 other corporation which is engaged in manufacturing,
18 rectifying, or distilling spirituous liquors or wine or if
19 such applicant corporation is controlled by, or the majority
20 of stock therein is owned by, another corporation, which
21 latter corporation is engaged, directly or indirectly, in
22 manufacturing, rectifying, or distilling spirituous liquors or
23 wine.

24 (5) Notwithstanding any of the provisions of the
25 foregoing subsections, any corporation which holds a license
26 as a distributor on June 3, 1947, shall be entitled to a
27 renewal thereof, provided such corporation complies with all
28 of the provisions of the Beverage Law of Florida, as amended,
29 and of this section and establishes by satisfactory evidence
30 to the board of county commissioners of the county wherein the
31 original license was issued that, during the 6-month period

1 next preceding its application for such renewal, of the total
2 volume of its sales of spirituous liquors, in either dollars
3 or quantity, not more than 40 percent of such spirituous
4 liquors sold by it, in either dollars or quantity, were
5 manufactured, rectified, or distilled by any corporation with
6 which the applicant is affiliated, directly or indirectly,
7 including any corporation which owns or controls in any way
8 any stock in the applicant corporation or any corporation
9 which is a subsidiary or affiliate of the corporation so
10 owning stock in the applicant corporation. Any manufacturer
11 of wine holding a license as a distributor on April 1, 1997,
12 shall be entitled to a renewal of such license notwithstanding
13 the provisions of subsections (1)-(5).

14 Section 2. This act shall take effect upon becoming a
15 law.

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18 HOUSE SUMMARY

19 Includes manufacturers of wine within a group of
20 manufacturers who may not be licensed as distributors or
21 registered exporters. Provides that any manufacturer of
22 wine holding a license as a distributor on April 1, 1997,
23 shall be entitled to a renewal of such a license
24 notwithstanding the prohibitions of the act.
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