

By Senators Scott and Geller

31-759-99

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A bill to be entitled

An act relating to the Beverage Law; amending  
s. 561.01, F.S.; redefining the term "discount  
in the usual course of business" as it relates  
to malt beverage distributors; providing an  
effective date.

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

Section 1. Subsection (10) of section 561.01, Florida  
Statutes, is amended to read:

561.01 Definitions.--As used in the Beverage Law:

(10) "Discount in the usual course of business" means  
a cash or spirituous or vinous beverage merchandise discount  
given pursuant to an agreement made at the time of sale.  
However, such agreement shall not result in an accrued,  
accumulated, or retroactive discount. The same discounts  
shall be offered to all vendors buying similar quantities.  
Any discount which is in violation of this section shall be  
considered an arrangement for financial assistance by gift;  
however, the Beverage Law or implementing rules may not  
prohibit licensed distributors of malt beverages from charging  
different malt beverage prices to different categories of  
licensees if the categories of licensees are grouped by  
cities; by counties, whether excluding or including cities  
with the counties; by branches of a distributor's parent place  
of business; by license series; by license type; or by general  
business operation as long as the prices set for a particular  
category are applied uniformly to all licensees in that  
category.

Section 2. This act shall take effect July 1, 1999.

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SENATE SUMMARY

Authorizes malt beverage distributors to price malt beverages differently for different categories of licensees if the prices are uniform within each category.