

1 A bill to be entitled
2 An act relating to alcoholic beverages;
3 amending s. 561.01, F.S.; redefining the term
4 "discount in the usual course of business";
5 authorizing distributors of malt beverages to
6 charge different prices for such beverages to
7 different categories of alcoholic beverage
8 licensees; requiring prices in a single license
9 category to be uniform; providing an effective
10 date.

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

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

16 561.01 Definitions.--As used in the Beverage Law:

17 (10) "Discount in the usual course of business" means
18 a cash or spirituous or vinous beverage merchandise discount
19 given pursuant to an agreement made at the time of sale.
20 However, such agreement shall not result in an accrued,
21 accumulated, or retroactive discount. The same discounts
22 shall be offered to all vendors buying similar quantities.
23 Any discount which is in violation of this section shall be
24 considered an arrangement for financial assistance by gift.
25 However, nothing in the Beverage Law or rules adopted pursuant
26 to the Beverage Law shall prohibit licensed distributors of
27 malt beverages from charging different malt beverage prices to
28 different categories of licensees if the categories of
29 licensees are by whether on-premise or off-premise; by county;
30 or by branch of a distributor's parent place of business so
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1 long as the prices set for a particular category are applied
2 uniformly to all licensees in that category.

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