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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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Senator Gibson moved the following:

1           **Senate Substitute for Amendment (961662) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Paragraph (e) of subsection (14) of section  
7 561.42, Florida Statutes, is amended to read:

8           561.42 Tied house evil; financial aid and assistance to  
9 vendor by manufacturer, distributor, importer, primary American  
10 source of supply, brand owner or registrant, or any broker,  
11 sales agent, or sales person thereof, prohibited; procedure for



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12 enforcement; exception.-

13 (14) The division shall adopt reasonable rules governing  
14 promotional displays and advertising, which rules shall not  
15 conflict with or be more stringent than the federal regulations  
16 pertaining to such promotional displays and advertising  
17 furnished to vendors by distributors, manufacturers, importers,  
18 primary American sources of supply, or brand owners or  
19 registrants, or any broker, sales agent, or sales person  
20 thereof; however:

21 ~~(e) Manufacturers, distributors, importers, brand owners,~~  
22 ~~or brand registrants of beer, and any broker, sales agent, or~~  
23 ~~sales person thereof, shall not conduct any sampling activities~~  
24 ~~that include tasting of their product at a vendor's premises~~  
25 ~~licensed for off-premises sales only.~~

26 Section 2. Subsection (6) of section 563.06, Florida  
27 Statutes, is amended to read:

28 563.06 Malt beverages; imprint on individual container;  
29 size of containers; exemptions.-

30 (6) All malt beverages packaged in individual containers  
31 sold or offered for sale by vendors at retail in this state  
32 shall be in individual containers containing 64 ounces, or a  
33 lesser size containing no more than 32 ounces, of such malt  
34 beverages. Such containers shall include information specifying  
35 the manufacturer, the brand, and the percentage alcohol by  
36 volume of the malt beverage, and may be filled at the point of  
37 sale by either a licensed manufacturer, or a vendor licensed  
38 pursuant to ss. 561.20(1) and 565.01(1)(b)-(f), or a vendor  
39 licensed for consumption on the premises provided the license  
40 allows for off-premise sales, but must have an unbroken seal or



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41 be incapable of being immediately consumed. Containers may not  
42 be filled at the point of sale with alcoholic beverages  
43 purchased from a licensed distributor by a licensed  
44 manufacturer. ; provided, however, that nothing contained in

45 (7) This section does not ~~shall~~ affect malt beverages  
46 packaged in bulk, ~~or~~ in kegs or ~~in~~ barrels, or in an any  
47 individual container containing 1 gallon or more of such malt  
48 beverage regardless of individual container type.

49 Section 3. Section 563.09, Florida Statutes, is created to  
50 read:

51 563.09 Malt beverage tastings by manufacturers and  
52 vendors.—Notwithstanding any other provision of the beverage  
53 law, a licensed manufacturer or distributor of malt beverages,  
54 or any vendor, is authorized to conduct malt beverage tastings  
55 upon any licensed premises authorized to sell alcoholic  
56 beverages by package or for consumption on premises without  
57 being in violation of s. 561.42, provided that the conduct of  
58 the malt beverage tasting shall be limited to and directed  
59 toward the general public of the age of legal consumption.

60 Section 4. This act shall take effect July 1, 2014.

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

63 And the title is amended as follows:

64 Delete everything before the enacting clause  
65 and insert:

66 A bill to be entitled  
67 An act relating to malt beverages; amending s. 561.42,  
68 F.S.; deleting a provision relating to sampling  
69 activities; amending s. 563.06, F.S.; revising



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70 provisions relating to the size of a malt beverage  
71 container; requiring such containers to include  
72 certain information; authorizing such containers to be  
73 filled at the point of sale by certain persons;  
74 prohibiting such containers from being filled at the  
75 point of sale with certain alcoholic beverages;  
76 creating s. 563.09, F.S.; authorizing a licensed  
77 manufacturer or distributor of malt beverages, or any  
78 vendor, to conduct malt beverage tastings under  
79 certain conditions; providing an effective date.