



279010

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/17/2014	.	
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The Committee on Regulated Industries (Detert) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Present subsection (7) of section 563.06,  
Florida Statutes, is redesignated as subsection (8), a new  
subsection (7) is added to that section, and present subsection  
(6) is amended to read:

563.06 Malt beverages; imprint on individual container;  
size of containers; exemptions.—



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11 (6) All malt beverages packaged in individual containers  
12 sold or offered for sale by vendors at retail in this state  
13 shall be in individual containers containing 64 ounces, or a  
14 lesser size containing no more than 32 ounces, of such malt  
15 beverages. The containers shall include information specifying  
16 the manufacturer, the brand, and the percentage alcohol by  
17 volume of the malt beverage, and may be filled at the point of  
18 sale by either a licensed manufacturer or a vendor licensed for  
19 consumption on the premises. The containers must have an  
20 unbroken seal or be incapable of being immediately consumed. The  
21 containers may not be filled at the point of sale with alcoholic  
22 beverages purchased by a licensed manufacturer from a licensed  
23 distributor. ; provided, however, that nothing contained in

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

28 ~~(8)(7)~~ Any person, firm, or corporation, its agents,  
29 officers or employees, violating any of the provisions of this  
30 section, shall be guilty of a misdemeanor of the first degree,  
31 punishable as provided in s. 775.082 or s. 775.083; and the  
32 license, if any, shall be subject to revocation or suspension by  
33 the division.

34 Section 2. Section 563.09, Florida Statutes, is created to  
35 read:

36 563.09 Malt beverage tastings.—A licensed distributor of  
37 malt beverages, or any vendor, may conduct malt beverage  
38 tastings upon any licensed premises authorized to sell malt  
39 beverages by package or for consumption on premises without



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40 being in violation of s. 561.42 if the conduct of the malt  
41 beverage tasting is limited to and directed toward the general  
42 public of the age of legal consumption.

43 Section 3. Paragraph (e) of subsection (14) of section  
44 561.42, Florida Statutes, is amended to read:

45 561.42 Tied house evil; financial aid and assistance to  
46 vendor by manufacturer, distributor, importer, primary American  
47 source of supply, brand owner or registrant, or any broker,  
48 sales agent, or sales person thereof, prohibited; procedure for  
49 enforcement; exception.-

50 (14) The division shall adopt reasonable rules governing  
51 promotional displays and advertising, which rules shall not  
52 conflict with or be more stringent than the federal regulations  
53 pertaining to such promotional displays and advertising  
54 furnished to vendors by distributors, manufacturers, importers,  
55 primary American sources of supply, or brand owners or  
56 registrants, or any broker, sales agent, or sales person  
57 thereof; however:

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

63 Section 4. This act shall take effect upon becoming a law.

64  
65  
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete everything before the enacting clause



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69 and insert:

70                                   A bill to be entitled  
71           An act relating to malt beverages; amending s. 563.06,  
72           F.S.; providing for container sizes; providing for  
73           labeling; providing for filling containers at the  
74           point of sale by a manufacturer or vendor; providing  
75           for sealing containers; prohibiting filling containers  
76           at the point of sale with alcoholic beverages  
77           purchased from a distributor; creating s. 563.09,  
78           F.S.; authorizing malt beverage tastings upon certain  
79           licensed premises; amending s. 561.42, F.S.; removing  
80           the prohibition on beer samplings at the premises of  
81           certain vendors; providing an effective date.