



458902

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/28/2014	.	
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The Committee on Regulated Industries (Stargel) recommended the following:

**Senate Amendment to Amendment (563586)**

Delete lines 90 - 91

and insert:

(3) ~~(a)~~ Notwithstanding s. 561.22, s. 561.42, or any other provision ~~Notwithstanding other provisions~~ of the Beverage Law, a ~~any~~ vendor licensed in this state may be licensed as a manufacturer of malt beverages if the vendor satisfies the requirements of this subsection. ~~upon a finding by the division that:~~



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11 (a) The division may issue a license if it finds that all  
12 of the following conditions are met:

13 1. The vendor will be engaged in brewing malt beverages at  
14 a single licensed premises location and in an amount that which  
15 will not exceed 10,000 kegs per year. As used in For purposes of  
16 this subparagraph subsection, the term "keg" means 15.5 gallons.

17 2. The malt beverages ~~so~~ brewed will be sold to consumers  
18 for consumption on the vendor's licensed premises or on  
19 contiguous licensed premises owned by the vendor.

20 3. The applicant holds a permanent food service license.

21 (b) A licensee may sell the following alcoholic beverages,  
22 which may be sold only in face-to-face transactions with  
23 consumers:

24 1. Malt beverages that are manufactured on the licensed  
25 premises for on-premises consumption.

26 2. Malt beverages that are manufactured by other  
27 manufacturers for on-premises consumption as authorized under  
28 its vendor's license.

29 3. Wine or liquor for on-premises consumption as authorized  
30 under its vendor's license.

31 (c) A licensee may not:

32 1. Ship malt beverages to or between licensed premises  
33 owned by the licensee. A licensee is not a manufacturer for the  
34 purposes of s. 563.022(14).

35 2. Distribute or sell malt beverages off the licensed  
36 premises.

37 ~~(d) (b) A licensee is Any vendor which is also licensed as a~~  
38 ~~manufacturer of malt beverages pursuant to this subsection shall~~  
39 ~~be responsible for applicable reports pursuant to ss. 561.50 and~~



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40 561.55 with respect to the amount of beverage manufactured each  
41 month and must ~~shall~~ pay the applicable excise taxes ~~thereon~~ to  
42 the division by the 10th day of each month for the previous  
43 month.

44 ~~(e)-(c)~~ A ~~It shall be unlawful for any~~ licensed distributor  
45 of malt beverages or an ~~any~~ officer, agent, or other  
46 representative thereof may not ~~to~~ discourage or prohibit a  
47 licensee ~~any vendor licensed as a manufacturer under this~~  
48 ~~subsection~~ from offering malt beverages brewed for consumption  
49 on the licensed premises of the vendor.

50 ~~(f)-(d)~~ A ~~It shall be unlawful for any~~ manufacturer of malt  
51 beverages or an ~~any~~ officer, agent, or other representative  
52 thereof may not ~~to~~ take any action to discourage or prohibit a  
53 ~~any~~ distributor of the manufacturer's product from distributing  
54 such product to a licensee ~~licensed vendor which is also~~  
55 ~~licensed as a manufacturer of malt beverages pursuant to this~~  
56 ~~subsection.~~

57 (g) As used in this subsection, the term "licensee" means a  
58 vendor licensed as a manufacturer of malt beverages pursuant to  
59 this subsection.

60 (4) The Legislature intends that the provisions relating to  
61 the sale of malt beverages by a malt beverage manufacturer  
62 pursuant to subsection (2) and the operation of a licensed  
63 vendor pursuant to subsection (3) constitute limited exceptions  
64 to the manufacturing and vendor licensing requirements of the  
65 Beverage Law. Anything not specifically authorized in  
66 subsections (2) and (3) is prohibited unless otherwise  
67 authorized under the Beverage Law.

68 Section 3. Section 561.37, Florida Statutes, is amended to



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69 read:  
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