

Amendment No. 8

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                           (Y/N)  
ADOPTED AS AMENDED                           (Y/N)  
ADOPTED W/O OBJECTION                       (Y/N)  
FAILED TO ADOPT                               (Y/N)  
WITHDRAWN                                       (Y/N)  
OTHER                                            

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1 Committee/Subcommittee hearing bill: Business & Professions  
2 Subcommittee

3 Representative Steube offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 1187-1226 and insert:

7 (1) A manufacturer, distributor, or importer of malt  
8 beverages, or any contracted third-party agent thereof, may  
9 conduct any sampling activities that include the tasting of malt  
10 beverage products on:

11 (a) The licensed premises of any vendor authorized to sell  
12 alcoholic beverages by the drink for consumption on premises; or

13 (b) The licensed premises of any vendor authorized to sell  
14 alcoholic beverages only in sealed containers for consumption  
15 off premises if:

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16 1. The licensed premises is at an establishment with at  
17 least 10,000 square feet of interior floor space exclusive of  
18 storage space not open to the general public; or

19 2. The licensed premises is a package store licensed under  
20 s. 565.02(1)(a).

21 (2) A malt beverage tasting conducted under this section  
22 must be limited to and directed toward the general public of the  
23 age of legal consumption.

24 (3) For a malt beverage tasting conducted under this  
25 section on the licensed premises of a vendor authorized to sell  
26 alcoholic beverages for consumption on premises, each serving of  
27 a malt beverage to be tasted must be provided to the consumer by  
28 the drink in a tasting cup, glass, or other open container and  
29 may not be provided by the package in an unopened can or bottle  
30 or in any other sealed container.

31 (4) For a malt beverage tasting conducted under this  
32 section on the licensed premises of a vendor authorized to sell  
33 alcoholic beverages only in sealed containers for consumption  
34 off premises, the tasting must be conducted in the interior of  
35 the building constituting the vendor's licensed premises and  
36 each serving of a malt beverage to be tasted must be provided to  
37 the consumer in a tasting cup having a capacity of 3.5 ounces or  
38 less.

39 (5) A manufacturer, distributor, or importer, or any  
40 contracted third-party agent thereof, may not pay a vendor, and  
41 a vendor may not accept, a fee or compensation of any kind,

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42 including the provision of any malt beverage at no cost or at a  
43 reduced cost, to authorize the conduct of a malt beverage  
44 tasting under this section.

45 (6) (a) A manufacturer, distributor, or importer, or any  
46 contracted third-party agent thereof, conducting a malt beverage  
47 tasting under this section, must provide all of the beverages to  
48 be tasted, the total volume of which per tasting may not exceed  
49 576 ounces; must have paid all excise taxes on those beverages  
50 which are required of the manufacturer or distributor; and must  
51 return to the manufacturer's or distributor's inventory all of  
52 the malt beverages provided for the tasting that remain  
53 unconsumed after the tasting. More than one tasting may be held  
54 on the licensed premises each day, but only one manufacturer,  
55 distributor, importer, or contracted third-party agent thereof,  
56 may conduct a tasting on the premises at any one time.

57 (b) Any samples of malt beverages provided to a vendor by  
58 a manufacturer, distributor, or importer, or any contracted  
59 third-party agent thereof, in conjunction with or at the time of  
60 a tasting conducted under this section on the licensed premises  
61 of such vendor are subject to the volume limit for such premises  
62 set forth under paragraph (a)

63 (c) This subsection does not preclude a manufacturer,  
64 distributor, or importer, or any contracted third-party agent  
65 thereof, from buying the malt beverages it provides for the  
66 tasting from a vendor at no more than the retail price, but all  
67 of the malt beverages so purchased and provided for the tasting

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68 which remain unconsumed after the tasting must be removed from  
69 the premises of the tasting and properly disposed of.

70 (7) A manufacturer, distributor, or importer of malt  
71 beverages that contracts with a third-party agent to conduct a  
72 malt beverage tasting under this section on its behalf is  
73 responsible for any violation of this section by such agent.

74 (8) This section does not preclude a vendor from  
75 conducting a malt beverage tasting on its licensed premises  
76 using malt beverages from its own inventory.

77 (9) This section is supplemental to and does not supersede  
78 any special act or ordinance.

79 (10) The division may, pursuant to ss. 561.08 and 561.11,  
80 adopt rules to implement, administer, and enforce this section.

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**T I T L E   A M E N D M E N T**

Remove lines 55-56 and insert:

563.09, F.S.; authorizing a licensed manufacturer, distributor,  
or importer of malt beverages to conduct a malt