

Amendment No. a1

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WITHDRAWN	—	(Y/N)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	—	

1 Committee/Subcommittee hearing bill: Regulatory Affairs  
 2 Committee

3 Representative Diaz, J. offered the following:

4  
 5 **Amendment to Amendment (069599) by Representative Steube**  
 6 **(with title amendment)**

7 Between lines 6 and 7 of the amendment, insert:

8 Section 1. Subsection (14) of section 561.42, Florida Statutes,  
 9 is amended to read:

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

15 (14) The division shall adopt reasonable rules governing  
 16 promotional displays and advertising, which rules shall not  
 17 conflict with or be more stringent than the federal regulations

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18 pertaining to such promotional displays and advertising  
19 furnished to vendors by distributors, manufacturers, importers,  
20 primary American sources of supply, or brand owners or  
21 registrants, or any ~~broker~~, sales agent, or sales person  
22 thereof; however:

23 (a) If a manufacturer, distributor, importer, brand owner,  
24 or brand registrant of malt beverage, or any ~~broker~~, sales  
25 agent, or sales person thereof, provides a vendor with  
26 expendable retailer advertising specialties such as trays,  
27 coasters, mats, menu cards, napkins, cups, glasses,  
28 thermometers, and the like, such items may ~~shall~~ be sold only at  
29 a price not less than the actual cost to the industry member who  
30 initially purchased them, without limitation in total dollar  
31 value of such items sold to a vendor.

32 (b) Without limitation in total dollar value of such items  
33 provided to a vendor, a manufacturer, distributor, importer,  
34 brand owner, or brand registrant of malt beverage, or any  
35 ~~broker~~, sales agent, or sales person thereof, may rent, loan  
36 without charge for an indefinite duration, or sell durable  
37 retailer advertising specialties such as clocks, pool table  
38 lights, and the like, which bear advertising matter.

39 (c) If a manufacturer, distributor, importer, brand owner,  
40 or brand registrant of malt beverage, or any ~~broker~~, sales  
41 agent, or sales person thereof, provides a vendor with consumer  
42 advertising specialties such as ashtrays, T-shirts, bottle  
43 openers, shopping bags, and the like, such items may ~~shall~~ be

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44 sold only at a price not less than the actual cost to the  
45 industry member who initially purchased them, and ~~but~~ may be  
46 sold without limitation in total value of such items sold to a  
47 vendor.

48 (d) A manufacturer, distributor, importer, brand owner, or  
49 brand registrant of malt beverage, or any ~~broker,~~ sales agent,  
50 or sales person thereof, may provide consumer advertising  
51 specialties described in paragraph (c) to consumers on any  
52 vendor's licensed premises.

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

58 ~~(e)-(f)~~ A manufacturer ~~Manufacturers, distributor~~  
59 ~~distributors, importer importers, brand owner owners, or brand~~  
60 ~~registrant registrants of malt beverages beer, and any broker,~~  
61 ~~sales agent, or sales person thereof~~ or contracted third-party,  
62 may shall not engage in cooperative advertising with a vendor  
63 and may not name a vendor in any advertising for a malt beverage  
64 tasting authorized under s. 563.09 vendors.

65 ~~(f)-(g)~~ A distributor ~~Distributors of malt beverages beer~~  
66 may sell to a vendor ~~vendors~~ draft equipment and tapping  
67 accessories at a price not less than the cost to the industry  
68 member who initially purchased them, except there is no required  
69 charge, and the ~~a~~ distributor may exchange any parts that ~~which~~

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70 are not compatible with a competitor's system and are necessary  
71 to dispense the distributor's brands. A distributor of malt  
72 beverages ~~beer~~ may furnish to a vendor at no charge replacement  
73 parts of nominal intrinsic value, including, but not limited to,  
74 washers, gaskets, tail pieces, hoses, hose connections, clamps,  
75 plungers, and tap markers.

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**T I T L E   A M E N D M E N T**

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Remove line 271 of the amendment and insert:

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An act relating to alcoholic beverages; amending s. 561.42,

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F.S.; deleting a prohibition against certain entities conducting

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tastings; revising requirements for promotional displays and

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advertising; amending s. 562.111,