

By the Committee on Regulated Industries; and Senator Steube

580-02661-17

20171040c1

1 A bill to be entitled

2 An act relating to malt beverages; amending s. 561.42,
3 F.S.; authorizing a distributor of malt beverages to
4 give or sell specified glassware to vendors licensed
5 to sell malt beverages for on-premises consumption;
6 providing an annual limit on such glassware that may
7 be given by a distributor to a vendor; prohibiting a
8 vendor from selling single-service glassware or
9 returning it to a distributor for cash or credit under
10 certain circumstances; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (a) of subsection (14) of section
15 561.42, Florida Statutes, is amended, and subsection (15) is
16 added to that section, to read:

17 561.42 Tied house evil; financial aid and assistance to
18 vendor by manufacturer, distributor, importer, primary American
19 source of supply, brand owner or registrant, or any broker,
20 sales agent, or sales person thereof, prohibited; procedure for
21 enforcement; exception.-

22 (14) The division shall adopt reasonable rules governing
23 promotional displays and advertising, which rules shall not
24 conflict with or be more stringent than the federal regulations
25 pertaining to such promotional displays and advertising
26 furnished to vendors by distributors, manufacturers, importers,
27 primary American sources of supply, or brand owners or
28 registrants, or any sales agent or sales person thereof;
29 however:

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30 (a) If a manufacturer, distributor, importer, brand owner,
31 or brand registrant of malt beverages ~~beverage~~, or any sales
32 agent or sales person thereof, provides a vendor with expendable
33 retailer advertising specialties such as trays, coasters, mats,
34 menu cards, napkins, cups, glassware ~~glasses~~, thermometers, and
35 the like, such items may be sold only at a price not less than
36 the actual cost to the industry member who initially purchased
37 them, without limitation in total dollar value of such items
38 sold to a vendor.

39 (15) Notwithstanding paragraph (14) (a), a distributor of
40 malt beverages may give or sell malt beverage branded single-
41 service glassware to a vendor licensed to sell malt beverages
42 for on-premises consumption. A distributor may not give more
43 than 5 cases that include up to 24 pieces per case of single-
44 service glassware per brand, per licensed premises, per calendar
45 year, and a vendor may not sell any such glassware that is given
46 by a distributor or return such glassware to the distributor for
47 cash or credit.

48 Section 2. This act shall take effect July 1, 2017.