



637956

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/09/2017	.	
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The Committee on Rules (Latvala) recommended the following:

1           **Senate Substitute for Amendment (239246) (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Section 565.04, Florida Statutes, is amended to  
7 read:

8           565.04 Package store restrictions.—

9           (1) (a) A vendor ~~Vendors~~ licensed under s. 565.02(1)(a) may  
10 ~~shall~~ not in such ~~said~~ place of business sell, offer, or expose  
11 for sale any merchandise other than such beverages, and such



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12 places of business shall be devoted exclusively to such sales;  
13 ~~provided, however, that such vendor may vendors shall be~~  
14 ~~permitted to~~ sell bitters, grenadine, nonalcoholic mixer-type  
15 beverages (not to include fruit juices produced outside this  
16 state), fruit juices produced in this state, home bar, ~~and~~ party  
17 supplies and equipment (including, but not limited to, glassware  
18 and party-type foods), miniatures of no alcoholic content, and  
19 tobacco products. Such ~~place~~ places of business ~~may not shall~~  
20 have ~~no~~ openings permitting direct access to any other building  
21 or room, except to a private office or storage room of the place  
22 of business from which patrons are excluded.

23 (b) Paragraph (a) does not apply to any of the following  
24 places of business of a vendor licensed under s. 565.02(1)(a) if  
25 such places of business are located in a municipality or county  
26 in which an exception to paragraph (a) has been authorized by a  
27 municipal or county ordinance:

28 1. At the vendor's place of business if the vendor has only  
29 one place of business.

30 2. At 25 percent of the vendor's places of business if the  
31 vendor has an interest, directly or indirectly, in more than one  
32 place of business.

33 3. After July 1, 2023, at two of the vendor's places of  
34 business, or, if the vendor has an interest, directly or  
35 indirectly, in two or more places of business, at 50 percent of  
36 the vendor's places of business.

37 4. After July 1, 2024, at three of the vendor's places of  
38 business, or, if the vendor has an interest in three or more  
39 places of business, at 75 percent of the vendor's places of  
40 business.



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41  
42 If the percentage of the vendor's places of business results in  
43 a fraction of 0.50 or more, the number of the vendor's places of  
44 business at which paragraph (a) does not apply shall be  
45 increased to the next greater whole number. A vendor licensed  
46 under s. 565.02(1)(a) must notify the Division of Alcoholic  
47 Beverages and Tobacco, in writing, of the places of business to  
48 which paragraph (a) does not apply.

49 (c) This subsection expires June 30, 2025.

50 (2)(a) A vendor licensed under s. 565.02(1)(a) may not in  
51 such place of business sell, offer, or expose for sale any  
52 distilled spirit in a container of less than 750 milliliters or  
53 less than 25.36 ounces except from an area to which access is  
54 restricted to the vendor or employees of such vendor.

55 (b) Paragraph (a) does not apply to a vendor's place of  
56 business if such place of business is:

57 1. Located in a municipality or county in which an  
58 exception to paragraph (a) has been authorized by a municipal or  
59 county ordinance; and

60 2. Devoted exclusively to the sales of alcoholic beverages.  
61 However, such vendor may also sell at such place of business  
62 bitters, grenadine, nonalcoholic mixer-type beverages (not to  
63 include fruit juices produced outside this state), fruit juices  
64 produced in this state, home bar, and party supplies and  
65 equipment (including, but not limited to, glassware and party-  
66 type foods), miniatures of no alcoholic content, and tobacco  
67 products. Such place of business may not have openings  
68 permitting direct access to any other building or room, except  
69 to a private office or storage room of the place of business



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70 from which patrons are excluded.

71 (3)~~(2)~~ Notwithstanding any other law, when delivering  
72 alcoholic beverages to a vendor licensed under s. 565.02(1)(a),  
73 a licensed distributor may transport the beverages through  
74 another premises owned in whole or in part by the vendor.

75 Section 2. This act shall take effect July 1, 2025.

76

77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete everything before the enacting clause  
80 and insert:

81 A bill to be entitled  
82 An act relating to vendors licensed under the Beverage  
83 Law; amending s. 565.04, F.S.; revising applicability  
84 of package store restrictions; providing an expiration  
85 date; providing a restriction on the sale of distilled  
86 spirits below the specified container sizes;  
87 authorizing exceptions to certain package store  
88 restrictions if a municipality or county passes an  
89 ordinance; providing an effective date.