

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Goodson offered the following:

2
3 **Amendment to Amendment (790465) (with title amendment)**

4 Remove line 90 and insert:

5 Section 2. Effective October 1, 2017, paragraph (a) of
6 subsection (14) of section 561.42, Florida Statutes, is amended
7 to read:

8 561.42 Tied house evil; financial aid and assistance to
9 vendor by manufacturer, distributor, importer, primary American
10 source of supply, brand owner or registrant, or any broker,
11 sales agent, or sales person thereof, prohibited; procedure for
12 enforcement; exception.—

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13 (14) The division shall adopt reasonable rules governing
14 promotional displays and advertising, which rules shall not
15 conflict with or be more stringent than the federal regulations
16 pertaining to such promotional displays and advertising
17 furnished to vendors by distributors, manufacturers, importers,
18 primary American sources of supply, or brand owners or
19 registrants, or any sales agent or sales person thereof;
20 however:

21 (a) If a manufacturer, distributor, importer, brand owner,
22 or brand registrant of malt beverage, or any sales agent or
23 sales person thereof, provides a vendor licensed to sell malt
24 beverages for on-premises consumption with branded expendable
25 retailer advertising specialties such as trays, coasters, mats,
26 menu cards, napkins, cups, glassware ~~glasses~~, thermometers, and
27 the like, such items may be sold only at a price not less than
28 the actual cost to the industry member who initially purchased
29 them, without limitation in total dollar value of such items
30 sold to a vendor. However, a distributor that has received
31 glassware at no charge from a malt beverage manufacturer or
32 importer may give such glassware to a vendor licensed to sell malt
33 beverages for on-premises consumption. Each piece of glassware
34 given to a vendor by a distributor must bear a permanent brand
35 name intended to prominently advertise the brand. A distributor
36 may not give to a vendor more than 10 cases of glassware per
37 calendar year per licensed premises. As used in this paragraph,

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38 the term "case" means a box containing up to 24 pieces of
39 glassware. As used in this paragraph, the term "glassware" means a
40 single-service glass container which can hold no more than 23
41 ounces of liquid volume. A vendor that receives a gift of such
42 glassware from a distributor may not sell the glassware or return
43 it to a distributor for cash, credit, or replacement.

44 Section 3. Except as otherwise expressly provided in this
45 act, this act shall take effect July 1, 2017.

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48 **T I T L E A M E N D M E N T**

49 Remove line 102 and insert:
50 penalties; authorizing a distributor of malt beverages
51 to give branded glassware to vendors licensed to sell
52 malt beverages for on-premises consumption; providing
53 that such glassware bear certain branding; providing
54 an annual limit on the amount of glassware that may be
55 given by a distributor to a vendor; prohibiting a
56 vendor from selling the branded glassware or returning
57 the branded glassware to a distributor; providing
58 effective dates.

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