

By Senator Brandes

24-00141-18

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1 A bill to be entitled
2 An act relating to the Beverage Law; repealing s.
3 564.05, F.S., relating to limitations on the size of
4 individual wine containers; amending s. 564.055, F.S.;
5 authorizing the packaging, filling, refilling, or sale
6 of cider in growlers; amending s. 564.09, F.S.;
7 revising provisions authorizing a restaurant to allow
8 a patron to remove certain containers from a
9 restaurant for off-premises consumption; providing an
10 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. Section 564.05, Florida Statutes, is repealed.

15 Section 2. Section 564.055, Florida Statutes, is amended to
16 read:

17 564.055 Cider containers.—Notwithstanding any other law to
18 the contrary, cider, as defined in s. 564.06(4), may be sold by
19 vendors at retail in any size individual container containing no
20 more than 32 ounces of cider; however, this section does not
21 prohibit cider from being packaged and sold in bulk, in kegs or
22 barrels, or in any individual container that contains 1 gallon
23 or more of cider, regardless of container type. Cider may also
24 be packaged, filled, refilled, or sold in 32-ounce, 64-ounce,
25 and 1-gallon growlers in the same manner and under the same
26 restrictions as authorized for malt beverages pursuant to s.
27 563.06(7).

28 Section 3. Section 564.09, Florida Statutes, is amended to
29 read:

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30 564.09 Restaurants; off-premises consumption of wine or
31 beer.—Notwithstanding any other provision of law, a restaurant
32 licensed to sell wine or beer on the premises may permit a
33 patron to remove one unsealed bottle ~~of wine~~ for consumption off
34 the premises if the patron has purchased a ~~full-course~~ meal
35 ~~consisting of a salad or vegetable, entree, a beverage, and~~
36 ~~bread~~ and consumed a portion of the bottle ~~of wine with such~~
37 ~~meal~~ on the restaurant premises. A partially consumed bottle ~~of~~
38 ~~wine~~ that is to be removed from the premises must be securely
39 resealed by the licensee or its employees before removal from
40 the premises. The partially consumed bottle ~~of wine~~ shall be
41 placed in a bag or other container that is secured in such a
42 manner that it is visibly apparent if the container has been
43 subsequently opened or tampered with, and a dated receipt for
44 the bottle ~~of wine~~ and ~~full-course~~ meal shall be provided by the
45 licensee and attached to the container. If transported in a
46 motor vehicle, the container with the resealed bottle ~~of wine~~
47 must be placed in a locked glove compartment, a locked trunk, or
48 the area behind the last upright seat of a motor vehicle that is
49 not equipped with a trunk.

50 Section 4. This act shall take effect July 1, 2018.