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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/3R

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03/08/2018 02:45 PM

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Senator Brandes moved the following:

Senate Amendment (with title amendment)

Between lines 56 and 57

insert:

Section 2. Section 564.05, Florida Statutes, is repealed.

Section 3. Section 564.055, Florida Statutes, is amended to read:

564.055 Cider containers and growlers.—Notwithstanding any other law to the contrary:7

(1) Cider, as defined in s. 564.06(4), may be sold by vendors at retail in any size individual container containing no



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12 more than 32 ounces of cider.

13 (2) Cider may also be packaged, filled, refilled, or sold
14 in a growler that holds 32, 64, or 128 ounces of such cider if
15 it is filled at the point of sale.

16 (a) Cider packaged in a growler may be filled or refilled
17 by a licensed manufacturer of wine holding a vendor's license
18 under s. 561.221(1)(a) or any person authorized to fill or
19 refill a malt beverage growler pursuant to s. 563.06(7)(a)1.-3.

20 (b) A growler must include an imprint or label that
21 provides information specifying the name of the manufacturer,
22 the brand, and the anticipated percentage of alcohol by volume
23 of the cider. The package must have an unbroken seal or be
24 incapable of being immediately consumed.

25 (c) A licensee authorized to fill or refill growlers may
26 not use growlers for the purposes of distribution or sale
27 outside of the licensed manufacturing premises or licensed
28 vendor premises.

29 (d) A person, firm, or corporation, including its agents,
30 officers, or employees, that violates this subsection commits a
31 misdemeanor of the first degree, punishable as provided in s.
32 775.082 or s. 775.083, and the license held by the person, firm,
33 or corporation, if any, is subject to revocation or suspension
34 by the division. A person, firm, or corporation, including its
35 agents, officers, or employees, that violates paragraph (b) may
36 be subject to a fine by the division of up to \$250.

37 (3) ~~;~~ however, This section does not prohibit cider from
38 being packaged and sold in bulk, in kegs or barrels, or in any
39 individual container that contains 1 gallon or more of cider,
40 regardless of container type.



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41 Section 4. Section 564.09, Florida Statutes, is amended to
42 read:

43 564.09 Restaurants; off-premises consumption of wine.-
44 Notwithstanding any other provision of law, a restaurant
45 licensed to sell wine on the premises may permit a patron to
46 remove one unsealed bottle of wine for consumption off the
47 premises if the patron has purchased a ~~full-course~~ meal
48 ~~consisting of a salad or vegetable, entree, a beverage, and~~
49 ~~bread~~ and consumed a portion of the bottle of wine ~~with such~~
50 ~~meal~~ on the restaurant premises. A partially consumed bottle of
51 wine that is to be removed from the premises must be securely
52 resealed by the licensee or its employees before removal from
53 the premises. The partially consumed bottle of wine shall be
54 placed in a bag or other container that is secured in such a
55 manner that it is visibly apparent if the container has been
56 subsequently opened or tampered with, and a dated receipt for
57 the bottle of wine and ~~full-course~~ meal shall be provided by the
58 licensee and attached to the container. If transported in a
59 motor vehicle, the container with the resealed bottle of wine
60 must be placed in a locked glove compartment, a locked trunk, or
61 the area behind the last upright seat of a motor vehicle that is
62 not equipped with a trunk.

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete line 12

67 and insert:

68 alcoholic beverages; repealing s. 564.05, F.S.,
69 relating to limitations on the size of individual wine



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70 containers; amending s. 564.055, F.S.; authorizing the
71 packaging, filling, refilling, or sale of cider in
72 growlers of specified sizes and under specified
73 circumstances; providing labeling and packaging
74 requirements for cider growlers; restricting the use
75 of cider growlers; providing criminal and civil
76 penalties and license revocation or suspension for
77 certain persons or licensees who violate provisions
78 regulating cider growlers; amending s. 564.09, F.S.;
79 revising provisions authorizing a restaurant to allow
80 a patron to remove bottles of wine from a restaurant
81 for off-premises consumption; providing an effective
82 date.