

1                                   A bill to be entitled  
 2           An act relating to tied house evil; repealing s.  
 3           561.42, F.S., relating to tied house evil; amending  
 4           ss. 561.221, 561.32, 561.423, 561.424, 564.07, 564.08,  
 5           565.16, and 565.17, F.S.; conforming provisions to  
 6           changes made by the act; providing an effective date.

7  
 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Section 561.42, Florida Statutes, is repealed.

11           Section 2. Paragraph (a) of subsection (1) and paragraph  
 12           (a) of subsection (2) of section 561.221, Florida Statutes, are  
 13           amended to read:

14           561.221 Licensing of manufacturers and distributors as  
 15           vendors and of vendors as manufacturers; conditions and  
 16           limitations.—

17           (1)(a) Nothing contained in s. 561.22~~, s. 561.42~~, or any  
 18           other provision of the Beverage Law prohibits the ownership,  
 19           management, operation, or control of not more than three  
 20           vendor's licenses for the sale of alcoholic beverages by a  
 21           manufacturer of wine who is licensed and engaged in the  
 22           manufacture of wine in this state, even if such manufacturer is  
 23           also licensed as a distributor; provided that no such vendor's  
 24           license shall be owned, managed, operated, or controlled by any  
 25           licensed manufacturer of wine unless the licensed premises of

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 | the vendor are situated on property contiguous to the  
 27 | manufacturing premises of the licensed manufacturer of wine.

28 |       (2) (a) Notwithstanding s. 561.22, ~~s. 561.42~~, or any other  
 29 | provision of the Beverage Law, the division is authorized to  
 30 | issue vendor's licenses to a manufacturer of malt beverages,  
 31 | even if such manufacturer is also licensed as a distributor, for  
 32 | the sale of alcoholic beverages on property consisting of a  
 33 | single complex, which property shall include a brewery. However,  
 34 | such property may be divided by no more than one public street  
 35 | or highway.

36 |       Section 3. Paragraph (a) of subsection (2) of section  
 37 | 561.32, Florida Statutes, is amended to read:

38 |       561.32 Transfer of licenses; change of officers or  
 39 | directors; transfer of interest.—

40 |       (2) (a) No person is entitled as a matter of right to a  
 41 | transfer of a license or interest in a license to a relative or  
 42 | to any other person or to a change of executive officers or  
 43 | directors:

44 |       1. If the division has notified the licensee in writing  
 45 | that a revocation, suspension, or administrative proceeding ~~or a~~  
 46 | ~~proceeding under s. 561.42~~ has been or will be brought against  
 47 | the license; or

48 |       2. If a licensee, executive officer, director, or person  
 49 | holding an interest in the license or business has been  
 50 | arrested, charged, indicted, or convicted, or has appealed the

51 conviction, of a crime which is disqualifying under the  
52 alcoholic beverage laws. Any licensee, executive officer,  
53 director, or person holding an interest in a license or business  
54 who is arrested, charged, indicted, or convicted, or has  
55 appealed the conviction, of a crime which is disqualifying under  
56 the alcoholic beverage laws is required to immediately notify  
57 the division in writing of such action.

58

59 It is unlawful to transfer or attempt to transfer any license or  
60 interest in a license or business or change executive officers  
61 or directors contrary to the provisions of this section.

62 Section 4. Section 561.423, Florida Statutes, is amended  
63 to read:

64 561.423 Beer and malt beverages; in-store servicing  
65 authorized.—Nothing in ~~s. 561.42~~ or any other provision of the  
66 Beverage Law shall prohibit a distributor of beer or malt  
67 beverages from providing in-store servicing of beer or malt  
68 beverages. "In-store servicing" as used herein means quality  
69 control procedures which include, but are not limited to:  
70 rotation of malt beverages on the vendor's shelves, rotation and  
71 placing of malt beverages in vendor's coolers, proper stacking  
72 and maintenance of appearance and display of malt beverages on  
73 vendor's shelves, price-stamping of malt beverages in vendor's  
74 licensed premises, and moving or resetting any product or  
75 display in order to display a distributor's own product when

76 authorized by the vendor.

77 Section 5. Subsection (2) of section 561.424, Florida  
78 Statutes, is amended to read:

79 561.424 Vinous beverages; in-store servicing authorized.—

80 (2) Nothing in ~~s. 561.42~~ or any other provision of the  
81 ~~alcoholic~~ Beverage Law shall prohibit a distributor of wine from  
82 providing in-store servicing of wine sold by such distributor to  
83 a vendor. "In-store servicing" as used herein means: placing the  
84 wine on the vendor's shelves and maintaining the appearance and  
85 display of said wine on the vendor's shelves in the vendor's  
86 licensed premises; placing the wine not so shelved or displayed  
87 in a storage area designated by the vendor, which is located in  
88 the vendor's licensed premises; rotation of vinous beverages;  
89 and price stamping of vinous beverages in vendor's licensed  
90 premises. This section shall not apply to distilled spirits.

91 Section 6. Section 564.07, Florida Statutes, is amended to  
92 read:

93 564.07 Wine lists furnished to vendors.—A distributor of  
94 vinous beverages in this state may furnish, give, rent, loan, or  
95 sell to a vendor, and a vendor may accept, alcoholic beverage  
96 lists, commonly referred to as "wine lists," ~~without the same~~  
97 ~~being a violation of s. 561.42(1).~~

98 Section 7. Section 564.08, Florida Statutes, is amended to  
99 read:

100 564.08 Wine tastings by distributors and vendors.—A

HB 6051

2021

101 licensed distributor of vinous beverages, or any vendor, is  
102 authorized to conduct wine tastings upon any licensed premises  
103 authorized to sell vinous or spirituous beverages by package or  
104 for consumption on premises ~~without being in violation of s.~~  
105 ~~561.42~~, provided that the conduct of the wine tasting shall be  
106 limited to and directed toward the general public of the age of  
107 legal consumption.

108 Section 8. Section 565.16, Florida Statutes, is amended to  
109 read:

110 565.16 Beverage lists furnished to vendors.—A distributor  
111 of spirituous beverages in this state may furnish, give, rent,  
112 loan, or sell to a vendor, and a vendor may accept, alcoholic  
113 beverage lists, otherwise referred to as "wine lists," ~~without~~  
114 ~~the same being a violation of s. 561.42(1).~~

115 Section 9. Section 565.17, Florida Statutes, is amended to  
116 read:

117 565.17 Beverage tastings by distributors and vendors.—A  
118 licensed distributor of spirituous beverages, or any vendor, is  
119 authorized to conduct spirituous beverage tastings upon any  
120 licensed premises authorized to sell spirituous beverages by  
121 package or for consumption on premises ~~without being in~~  
122 ~~violation of s. 561.42~~, provided that the conduct of the  
123 spirituous beverage tasting shall be limited to and directed  
124 toward the general public of the age of legal consumption.

125 Section 10. This act shall take effect July 1, 2021.