

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Regulatory Affairs
2 Committee

3 Representative Sprowls offered the following:

4
5 **Amendment**

6 Remove lines 57-149 and insert:

7 (a) The purchase of an alcoholic beverage as defined in s.
8 561.01 and sold pursuant to the Beverage Law and the purchase of
9 any items sold at ~~An establishment licensed under the Beverage~~
10 ~~Law to sell distilled spirits as a vendor and restricted as to~~
11 ~~the types of products that can be sold under ss. 565.04 and~~
12 ~~565.045 or~~ a bottle club as defined in s. 561.01.

13 Section 2. Subsection (2) of section 561.221, Florida
14 Statutes, is amended to read:

15 (2) On or after July 1, 2015, the division may ~~is~~
16 ~~authorized to issue one vendor's license licenses~~ to a
17 manufacturer of malt beverages at no more than eight licensed

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18 manufacturing premises for which the manufacturer has an
19 interest, directly or indirectly, in the license. The
20 manufacturer must meet the following requirements:

21 (a) The transactions must be face-to-face transactions,
22 which, notwithstanding s. 561.57(1), requires the consumer to
23 either be physically present on the licensed manufacturing
24 premises at the time of purchase or to make and pay for an
25 online order prior to pick up of the beverages, and to take
26 physical receipt of the beverages on the licensed manufacturing
27 premises.

28 (b) The vendor's license must be located on the licensed
29 manufacturing premises consisting of a single complex that
30 includes a brewery. Such premises may be divided by no more than
31 one public street or highway. The licensed vendor premises shall
32 be included on the sketch or diagram defining the licensed
33 premises submitted with the manufacturer's license application
34 pursuant to s. 561.01(11). All sketch or diagram revisions by
35 the manufacturer must be approved by the division, verifying
36 that the vendor premises operated by the licensed manufacturer
37 is owned or leased by the manufacturer and is located on the
38 licensed manufacturing premises.

39 (c) The manufacturer may sell alcoholic beverages under its
40 vendor's license as follows:

41 1. Malt beverages for:

42 a. On-premises consumption;

43 b. Off-premises consumption in authorized containers

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44 pursuant to s. 563.06(6);

45 c. Off-premises consumption in growlers pursuant to s.
46 563.06(7).

47 2. Any wine or liquor for on-premises or off-premises
48 consumption as authorized under its vendor's license.

49 (d) A manufacturer of malt beverages licensed pursuant to
50 this subsection is responsible for paying applicable excise
51 taxes to the division and submitting applicable reports pursuant
52 to ss. 561.50 and 561.55 with respect to the amount of malt
53 beverages manufactured and sold pursuant to its vendor's license
54 or given to consumers.

55 (e) This subsection does not preclude a licensed
56 manufacturer of malt beverages with a vendor's license from
57 holding a permanent public food service establishment license
58 under chapter 509 on the licensed manufacturing premises.

59 (f) Notwithstanding any other provision of the Beverage
60 Law, a manufacturer holding multiple manufacturing licenses may
61 transfer malt beverages to a licensed facility, as provided in
62 s. 563.022(14)(d), in an amount up to the yearly production
63 amount at the receiving facility.

64 (g) A manufacturer or a group of manufacturers that are
65 connected may not hold vendor's licenses under this subsection
66 at more than eight licensed manufacturing premises total or
67 combined, and a separate vendor's license is required for each
68 manufacturing premises. For purposes of this subsection, a
69 manufacturer is considered connected to another manufacturer if

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70 it directly or indirectly through one or more intermediaries,
71 controls or is controlled by, or is under common control with,
72 the other manufacturer. A manufacturer is also considered
73 connected to another manufacturer if either has any direct or
74 indirect ownership interest in the other or another person or
75 entity has any direct or indirect ownership interest in both or
76 if both have any common officer, director, or manager, operate
77 under the direction of common management, or control any assets
78 related to a business for which a malt beverage manufacturer
79 license is issued. However, any ownership interest of less than
80 10 percent in a manufacturer, including the purchase of stock,
81 does not constitute an ownership interest sufficient to create a
82 connection to that manufacturer under this subsection, even if
83 ~~such manufacturer is also licensed as a distributor, for the~~
84 ~~sale of alcoholic beverages on property consisting of a single~~
85 ~~complex, which property shall include a brewery and such other~~
86 ~~structures which promote the brewery and the tourist industry of~~
87 ~~the state. However, such property may be divided by no more than~~
88 ~~one public street or highway~~

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