

By Senator Hutson

7-00499-17

2017388\_\_

1                   A bill to be entitled  
2           An act relating to the Beverage Law; amending s.  
3           561.42, F.S.; prohibiting the possession or use by  
4           certain licensees of specified wine or fortified wine  
5           coupons; providing an exemption from provisions  
6           relating to the tied house evil for specified  
7           financial transactions between a manufacturer of beer  
8           or malt beverages and a licensed vendor; providing an  
9           effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (13) of section 561.42, Florida  
14           Statutes, is amended, and subsection (15) is added to that  
15           section, to read:

16           561.42 Tied house evil; financial aid and assistance to  
17           vendor by manufacturer, distributor, importer, primary American  
18           source of supply, brand owner or registrant, or any broker,  
19           sales agent, or sales person thereof, prohibited; procedure for  
20           enforcement; exception.—

21           (13) A licensee under the Beverage Law may not possess or  
22           use, in physical or electronic format, any type of malt  
23           beverage, wine, or fortified wine coupon or malt beverage, wine,  
24           or fortified wine cross-merchandising coupon in this state,  
25           where:

26           (a) The coupon is produced, sponsored, or furnished,  
27           whether directly or indirectly, by an alcoholic beverage  
28           manufacturer, distributor, importer, brand owner, or brand  
29           registrant or any broker, sales agent, or sales person thereof;  
30           and

31           (b) The coupon is or purports to be redeemable by a vendor  
32           or other person who sells malt beverages, wine, or fortified

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33 wine to consumers in the state.

34 (15) This section does not apply to a financial transaction  
35 negotiated at arm's length for fair market value between a  
36 manufacturer of beer or malt beverages, as defined in s. 563.01,  
37 and a vendor licensed under the Beverage Law if such financial  
38 transaction does not involve, either all or in part, the direct  
39 sale or distribution of beer or malt beverages between the  
40 manufacturer and licensed vendor.

41 Section 2. This act shall take effect July 1, 2017.