

By Senator Aronberg

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1 A bill to be entitled
2 An act relating to malt beverages; amending s.
3 561.221, F.S.; removing a provision limiting a vendor
4 that brews malt beverages to the sale of the beverage
5 to consumers only for consumption on the premises of
6 the vendor or on a contiguous premises owned by the
7 vendor; amending s. 563.06, F.S.; removing a provision
8 limiting the size of individual containers of malt
9 beverages which may be sold or offered for sale by
10 vendors at retail; providing an 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. Subsection (3) of section 561.221, Florida
15 Statutes, is amended to read:

16 561.221 Licensing of manufacturers and distributors as
17 vendors and of vendors as manufacturers; conditions and
18 limitations.—

19 (3) (a) Notwithstanding other provisions of the Beverage
20 Law, any vendor licensed in this state may be licensed as a
21 manufacturer of malt beverages upon a finding by the division
22 that:

23 1. The vendor will be engaged in brewing malt beverages at
24 a single location and in an amount that ~~which~~ will not exceed
25 10,000 kegs per year. For purposes of this subsection, the term
26 "keg" means 15.5 gallons.

27 2. The malt beverages so brewed will be sold to consumers
28 ~~for consumption~~ on the vendor's licensed premises or on
29 contiguous licensed premises owned by the vendor.

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30 (b) Any vendor that ~~which~~ is also licensed as a
31 manufacturer of malt beverages pursuant to this subsection is
32 ~~shall be~~ responsible for applicable reports pursuant to ss.
33 561.50 and 561.55 with respect to the amount of beverage
34 manufactured each month and shall pay applicable excise taxes
35 thereon to the division by the 10th day of each month for the
36 previous month.

37 (c) It shall be unlawful for any licensed distributor of
38 malt beverages or any officer, agent, or other representative
39 thereof to discourage or prohibit any vendor licensed as a
40 manufacturer under this subsection from offering malt beverages
41 brewed ~~for consumption~~ on the licensed premises of the vendor.

42 (d) It shall be unlawful for any manufacturer of malt
43 beverages or any officer, agent, or other representative thereof
44 to take any action to discourage or prohibit any distributor of
45 the manufacturer's product from distributing such product to a
46 licensed vendor that ~~which~~ is also licensed as a manufacturer of
47 malt beverages pursuant to this subsection.

48 Section 2. Subsection (6) of section 563.06, Florida
49 Statutes, is amended to read:

50 563.06 Malt beverages; imprint on individual container;
51 size of containers; exemptions.-

52 (6) All malt beverages packaged in individual containers
53 sold or offered for sale by vendors at retail in this state
54 shall be in individual containers of any size. ~~containing no~~
55 ~~more than 32 ounces of such malt beverages; provided, however,~~
56 ~~that nothing contained in~~ This section does not ~~shall~~ affect
57 malt beverages packaged in bulk or in kegs or in barrels or in
58 any individual container containing 1 gallon or more of such

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59 malt beverage regardless of individual container type.

60 Section 3. This act shall take effect July 1, 2010.