

1 A bill to be entitled  
2 An act relating to malt beverages; amending 561.42,  
3 F.S.; authorizing certain manufacturers to sell and  
4 deliver malt beverages to vendors; amending s.  
5 563.022, F.S.; authorizing a manufacturer to  
6 terminate, cancel, nonrenew, and discontinue certain  
7 contracts under certain conditions; providing that  
8 such terminations, cancellations, nonrenewals, and  
9 discontinuances are not violations of unlawful acts  
10 and practices provisions; authorizing the Division of  
11 Alcoholic Beverages and Tobacco to determine a  
12 manufacturer's yearly production amount, upon the  
13 manufacturer's request; providing that certain  
14 information is prima facie evidence; authorizing the  
15 division to adopt rules; providing applicability;  
16 amending s. 561.221, F.S.; conforming a cross-  
17 reference; providing an effective date.  
18

19 Be It Enacted by the Legislature of the State of Florida:  
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21 **Section 1. Subsection (15) is added to section 561.42,**  
22 **Florida Statutes, to read:**

23 561.42 Tied house evil; financial aid and assistance to  
24 vendor by manufacturer, distributor, importer, primary American  
25 source of supply, brand owner or registrant, or any broker,

26 sales agent, or sales person thereof, prohibited; procedure for  
27 enforcement; exception.—

28 (15) Nothing in this section or any other provision of the  
29 Beverage Law shall prohibit a malt beverage manufacturer who  
30 produces less than 31,000 gallons of malt beverages within a  
31 calendar year from selling and delivering the malt beverages  
32 produced by the manufacturer directly to vendors.

33 **Section 2. Subsections (12) through (21) of section**  
34 **563.022, Florida Statutes, are renumbered as subsections (13)**  
35 **through (22), respectively, and a new subsection (12) is added**  
36 **to that section, to read:**

37 563.022 Relations between beer distributors and  
38 manufacturers.—

39 (12) TERMINATION, CANCELLATION, NONRENEWAL, AND  
40 DISCONTINUANCE OF FRANCHISE AGREEMENT.—

41 (a) Notwithstanding any provision of law relating to  
42 franchise agreements or any other provision in this section, a  
43 manufacturer may terminate, cancel, nonrenew, or discontinue a  
44 franchise agreement when all of the following occur:

45 1. The manufacturer produced less than 31,000 gallons of  
46 beer in the 12 months before the effective date of the franchise  
47 agreement.

48 2. The manufacturer provides written notice of the  
49 termination, cancellation, nonrenewal, or discontinuance of the  
50 franchise agreement to the distributor not less than 24 months

51 before the effective date of the termination, cancellation,  
52 nonrenewal, or discontinuance.

53 3. The manufacturer provides written notice of the  
54 termination, cancellation, nonrenewal, or discontinuance to the  
55 distributor not less than 36 months, but not more than 38  
56 months, after the effective date of the franchise agreement.

57 (b) A franchise agreement that is terminated, cancelled,  
58 nonrenewed, or discontinued under this subsection is not a  
59 violation of subsection (4), and a manufacturer is not required  
60 to pay reasonable compensation to a distributor.

61 (c) At the request of a manufacturer, the division may  
62 determine the manufacturer's yearly production amount. A  
63 determination by the division, when certified in writing, is  
64 prima facie evidence of the amount of beer produced by the  
65 manufacturer in a 12-month period. The division may adopt rules  
66 for manufacturers to request written certification of the amount  
67 of beer produced by a manufacturer in a given period. However, a  
68 manufacturer may not make such request more than once in any 12-  
69 month period. A determination by the division that a  
70 manufacturer produces less than 31,000 gallons in a 12-month  
71 period is effective for 3 years.

72 (d) This subsection applies to all franchise agreements  
73 entered into on or after July 1, 2026, and may not be waived by  
74 any party in a franchise agreement.

75 **Section 3. Paragraph (c) of subsection (2) of section**

76    **561.221, Florida Statutes, is amended to read:**

77            561.221    Licensing of manufacturers and distributors as  
78    vendors and of vendors as manufacturers; conditions and  
79    limitations.—

80            (2)

81            (c)    Notwithstanding any other provision of the Beverage  
82    Law, a manufacturer holding multiple manufacturing licenses may  
83    transfer malt beverages to a licensed facility, as provided in  
84    s. 563.022(15)(d) ~~s. 563.022(14)(d)~~, in an amount up to the  
85    yearly production amount at the receiving facility. Malt  
86    beverages and other alcoholic beverages manufactured by another  
87    licensed manufacturer, including any malt beverages that are  
88    owned in whole or in part by the manufacturer but are brewed by  
89    another manufacturer, must be obtained through a licensed  
90    distributor that is not also a licensed manufacturer, a licensed  
91    broker or sales agent, or a licensed importer.

92            **Section 4.**    This act shall take effect July 1, 2026.