



DAILY BRIEF

For the 2018 Legislative Session

From February 26, 2018

LEGAL & JUDICIAL

HB 775-Relating to Beverage Law

On Monday, February 26th, HB 775, by Representative Mike La Rosa (R-Saint Cloud), was heard before the House Commerce Committee and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

Florida's "Tied House Evil Law," s. 561.42, F.S., prohibits a manufacturer or distributor of alcoholic beverages from having a financial interest, directly or indirectly, in the establishment or business of a licensed vendor, and prohibits a manufacturer or distributor from giving gifts, loans, property, or rebates to retail vendors.

The bill exempts financial transactions between a vendor and a manufacturer from all tied evil house prohibitions if the following conditions are met:

- The agreement is negotiated at arm's length for no more than fair market value;
- The vendor operates places of business where consumption on the premises is permitted, which premises are located within a theme park complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually through a controlled entrance to and exit;
- The agreement does not involve the sale or distribution of malt beverages;
- The vendor does not give preferential treatment to the alcoholic beverage brand(s) of the manufacturer or importer;
- The agreement does not limit, directly or indirectly, the sale of alcoholic beverages of another manufacturer, importer or distributor;
- A distributor does not, directly or indirectly, pay any portion of the agreement; and
- Within 10 days after execution of the agreement, the vendor files a description of the written agreement for brand naming rights which includes the location, dates, and the name of the manufacturer or importer that entered into the agreement.

HB 775 will go to the House floor for consideration.

AIF SUPPORTS legislation that removes burdensome regulations on Florida's businesses.