A bill to be entitled

An act relating to malt beverages; amending 561.42, F.S.; allowing certain manufacturers to sell malt beverages to vendors; amending s. 563.022, F.S., providing that a manufacturer may terminate, cancel, nonrenew, or discontinue certain contracts under certain conditions; providing that it only applies to contracts entered into on a certain date; providing that certain information is prima facie evidence; providing an effective date.

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

Section 1. Subsection (15) is added to section 561.42, Florida Statutes, to read:

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

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

Section 2. Subsections (12) through (21) are renumbered to subsections (13) through (22) and subsection (12) of section 563.022, Florida Statutes, is amended to read:

563.022 Relations between beer distributors and manufacturers.—

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

1. The manufacturer produced less than 31,000 gallons of beer in the 12 months prior to the effective date of the franchise agreement.

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

3. The manufacturer provides the written notice to the distributor not less than 36 months after the effective date of the agreement but not more than 38 months after the effective date of the agreement.

(b) A franchise agreement that is terminated, cancelled, nonrenewed, or discontinued under the provisions of this subsection is not a violation of subsection (4), and a manufacturer is not required to pay reasonable compensation to a

distributor.

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

(d) This subsection applies to all franchise agreements entered into on or after July 1, 2025, and may not be waived by any party in a franchise agreement.

Section 3. This act shall take effect July 1, 2025.