

1 A bill to be entitled
 2 An act relating to craft distilleries; amending s.
 3 565.03, F.S.; defining the term "branded product";
 4 revising the limitation on containers that may be sold
 5 by craft distilleries to include a specified amount of
 6 individual containers for each branded product;
 7 providing an effective date.

8

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

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11 Section 1. Paragraphs (a) and (b) of subsection (1) of
 12 section 565.03, Florida Statutes, are redesignated as paragraphs
 13 (b) and (c), respectively, a new paragraph (a) is added to that
 14 subsection, and paragraph (c) of subsection (2) of that section
 15 is amended, to read:

16 565.03 License fees; manufacturers, distributors, brokers,
 17 sales agents, and importers of alcoholic beverages; vendor
 18 licenses and fees; craft distilleries.—

19 (1) As used in this section, the term:

20 (a) "Branded product" means the style of distilled spirit
 21 manufactured on site, including, but not limited to, vodka, rum,
 22 gin, whiskey, tequila, bourbon, and scotch.

23 (2)

24 (c) A craft distillery licensed under this section may
 25 sell to consumers, at its souvenir gift shop, spirits and
 26 branded products distilled on its premises in this state in

27 | factory-sealed containers that are filled at the distillery for
28 | off-premises consumption. Such sales are authorized only on
29 | private property contiguous to the licensed distillery premises
30 | in this state and included on the sketch or diagram defining the
31 | licensed premises submitted with the distillery's license
32 | application. All sketch or diagram revisions by the distillery
33 | shall require the division's approval verifying that the
34 | souvenir gift shop location operated by the licensed distillery
35 | is owned or leased by the distillery and on property contiguous
36 | to the distillery's production building in this state. A craft
37 | distillery or licensed distillery may not sell any factory-
38 | sealed individual containers of spirits except in face-to-face
39 | sales transactions with consumers who are making a purchase of
40 | two or fewer individual containers of each branded product, that
41 | comply with the container limits in s. 565.10, per calendar year
42 | for the consumer's personal use and not for resale and who are
43 | present at the distillery's licensed premises in this state.

44 | 1. A craft distillery must report to the division within 5
45 | days after it reaches the production limitations provided in
46 | paragraph (1) (b) ~~(1) (a)~~. Any retail sales to consumers at the
47 | craft distillery's licensed premises are prohibited beginning
48 | the day after it reaches the production limitation.

49 | 2. A craft distillery may only ship, arrange to ship, or
50 | deliver any of its distilled spirits to consumers within the
51 | state in a face-to-face transaction at the distillery property.
52 | However, a craft distiller licensed under this section may ship,

53 | arrange to ship, or deliver such spirits to manufacturers of
54 | distilled spirits, wholesale distributors of distilled spirits,
55 | state or federal bonded warehouses, and exporters.

56 | 3. Except as provided in subparagraph 4., it is unlawful
57 | to transfer a distillery license for a distillery that produces
58 | 75,000 or fewer gallons per calendar year of distilled spirits
59 | on its premises or any ownership interest in such license to an
60 | individual or entity that has a direct or indirect ownership
61 | interest in any distillery licensed in this state; another
62 | state, territory, or country; or by the United States government
63 | to manufacture, blend, or rectify distilled spirits for beverage
64 | purposes.

65 | 4. A craft distillery shall not have its ownership
66 | affiliated with another distillery, unless such distillery
67 | produces 75,000 or fewer gallons per calendar year of distilled
68 | spirits on its premises.

69 | Section 2. This act shall take effect July 1, 2015.