

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 the number of containers
 5 that may be sold to consumers by craft distilleries;
 6 applying such limitation to individual containers for
 7 each branded product; prohibiting a craft distillery
 8 from shipping or arranging to ship any of its
 9 distilled spirits to consumers; limiting sale and
 10 delivery of distilled spirits; revising a restriction
 11 on certain craft distillery ownership; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraphs (a) and (b) of subsection (1) of
 17 section 565.03, Florida Statutes, are redesignated as paragraphs
 18 (b) and (c), respectively, a new paragraph (a) is added to that
 19 subsection, and paragraph (c) of subsection (2) of that section
 20 is amended, to read:

21 565.03 License fees; manufacturers, distributors, brokers,
 22 sales agents, and importers of alcoholic beverages; vendor
 23 licenses and fees; craft distilleries.—

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

25 (a) "Branded product" means any distilled spirits product
 26 manufactured on site which requires a federal certificate and

27 label approval by the Federal Alcohol Administration Act or
28 federal regulations.

29 (2)

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

51 1. A craft distillery must report to the division within 5
52 days after it reaches the production limitations provided in

53 paragraph (1)(b) ~~(1)(a)~~. Any retail sales to consumers at the
54 craft distillery's licensed premises are prohibited beginning
55 the day after it reaches the production limitation.

56 2. A craft distillery may not ~~only~~ ship or, ~~arrange to~~
57 ship, ~~or deliver~~ any of its distilled spirits to consumers and
58 may sell and deliver only to consumers within the state in a
59 face-to-face transaction at the distillery property. However, a
60 craft distiller licensed under this section may ship, arrange to
61 ship, or deliver such spirits to manufacturers of distilled
62 spirits, wholesale distributors of distilled spirits, state or
63 federal bonded warehouses, and exporters.

64 3. Except as provided in subparagraph 4., it is unlawful
65 to transfer a distillery license for a distillery that produces
66 75,000 or fewer gallons per calendar year of distilled spirits
67 on its premises or any ownership interest in such license to an
68 individual or entity that has a direct or indirect ownership
69 interest in any distillery licensed in this state; another
70 state, territory, or country; or by the United States government
71 to manufacture, blend, or rectify distilled spirits for beverage
72 purposes.

73 4. A craft distillery shall not have its ownership
74 affiliated with another distillery, unless such distillery
75 produces 75,000 or fewer gallons per calendar year of distilled
76 spirits on each of its premises in this state or in another
77 state, territory, or country.

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