

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Richardson offered the following:

**Amendment to Amendment (264627) (with title amendment)**

Between lines 143 and 144 of the amendment, insert:

Section 4. Paragraph (a) of subsection (4) of section 402.82, Florida Statutes, is amended to read:

402.82 Electronic benefits transfer program.—

(4) Use or acceptance of an electronic benefits transfer card is prohibited at the following locations or for the following activities:

(a) The purchase of an alcoholic beverage as defined in s. 561.01 and sold pursuant to the Beverage Law and the purchase of any item sold at ~~An establishment licensed under the Beverage Law to sell distilled spirits as a vendor and restricted as to~~

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

15 ~~the types of products that can be sold under ss. 565.04 and~~  
16 ~~565.045 or a bottle club as defined in s. 561.01.~~

17 Section 5. Subsection (2) of section 561.221, Florida  
18 Statutes, is amended to read:

19 561.221 Retail exceptions to manufacturing licenses;  
20 brewing exceptions to vendor licenses ~~Licensing of manufacturers~~  
21 ~~and distributors as vendors and of vendors as manufacturers;~~  
22 conditions and limitations.—

23 (2) On or after July 1, 2015, the division may ~~is~~  
24 ~~authorized to issue one vendor's license~~ licenses to a  
25 manufacturer of malt beverages at no more than six licensed  
26 manufacturing premises for which the manufacturer has an  
27 interest, directly or indirectly, in the license. The  
28 manufacturer must meet the following requirements:

29 (a) A transaction must be a face-to-face transaction,  
30 which, notwithstanding s. 561.57(1), requires the consumer to be  
31 physically present on the licensed manufacturing premises at the  
32 time of purchase, or submit and pay for an online order before  
33 picking up the beverages, and to take physical receipt of the  
34 beverages on the licensed manufacturing premises.

35 (b) The vendor's license must be located on the licensed  
36 manufacturing premises consisting of a single complex that  
37 includes a brewery. Such premises may be divided by no more than  
38 one public street or highway. The licensed vendor premises shall  
39 be included on the sketch or diagram defining the licensed  
40 premises submitted with the manufacturer's license application

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

41 pursuant to s. 561.01(11). All sketch or diagram revisions by  
42 the manufacturer must be approved by the division, and the  
43 division shall verify that the vendor premises operated by the  
44 licensed manufacturer is owned or leased by the manufacturer and  
45 is located on the licensed manufacturing premises.

46 (c) The manufacturer may sell alcoholic beverages under  
47 its vendor's license as follows:

48 1. Malt beverages for:

49 a. On-premises consumption;

50 b. Off-premises consumption in authorized containers  
51 pursuant to s. 563.06(6); or

52 c. Off-premises consumption in growlers pursuant to s.  
53 563.06(7).

54 2. Any wine or liquor for on-premises or off-premises  
55 consumption as authorized under its vendor's license.

56 (d) A manufacturer of malt beverages licensed pursuant to  
57 this subsection is responsible for paying applicable excise  
58 taxes to the division and submitting applicable reports pursuant  
59 to ss. 561.50 and 561.55 with respect to the amount of malt  
60 beverages manufactured and sold pursuant to its vendor's license  
61 or given to consumers.

62 (e) This subsection does not preclude a licensed  
63 manufacturer of malt beverages with a vendor's license from  
64 holding a permanent public food service establishment license  
65 under chapter 509 on the licensed manufacturing premises.

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

66 (f) Notwithstanding any other provision of the Beverage  
67 Law, a manufacturer holding multiple manufacturing licenses may  
68 transfer malt beverages to a licensed facility, as provided in  
69 s. 563.022(14)(d), in an amount up to the yearly production  
70 amount at the receiving facility.

71 (g) A manufacturer or a group of manufacturers that are  
72 connected may not hold vendor's licenses under this subsection  
73 at more than a total of six licensed manufacturing premises, and  
74 a separate vendor's license is required for each manufacturing  
75 premises. For purposes of this paragraph, a manufacturer is  
76 considered connected to another manufacturer if it directly or  
77 indirectly, through one or more intermediaries, controls or is  
78 controlled by, or is under common control with, the other  
79 manufacturer. A manufacturer is also considered connected to  
80 another manufacturer if either manufacturer has any direct or  
81 indirect ownership interest in the other manufacturer; if  
82 another person or entity has any direct or indirect ownership  
83 interest in both manufacturers; or if both manufacturers have  
84 any common officer, director, or manager, operate under the  
85 direction of common management, or control any assets related to  
86 a business for which a malt beverage manufacturer license is  
87 issued. However, an ownership interest of less than 10 percent  
88 in a manufacturer, including the purchase of stock, does not  
89 constitute an ownership interest sufficient to create a  
90 connection to that manufacturer under this paragraph, even if  
91 such manufacturer is also licensed as a distributor, for the

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

92 ~~sale of alcoholic beverages on property consisting of a single~~  
93 ~~complex, which property shall include a brewery and such other~~  
94 ~~structures which promote the brewery and the tourist industry of~~  
95 ~~the state. However, such property may be divided by no more than~~  
96 ~~one public street or highway.~~

97 Section 6. Paragraph (c) is added to subsection (1) of  
98 section 561.32, Florida Statutes, to read:

99 561.32 Transfer of licenses; change of officers or  
100 directors; transfer of interest.-

101 (1) Licenses issued under the provisions of the Beverage  
102 Law shall not be transferable except as follows:

103 (c) Before a manufacturer connects with one or more  
104 manufacturers as described in s. 561.221(2)(g), which would  
105 result in the connected manufacturers together holding a number  
106 of vendor's licenses in excess of the maximum number of licenses  
107 allowed pursuant to s. 561.221(2), the manufacturer must submit  
108 a detailed plan for divestment of the businesses for which the  
109 excess licenses have been issued and have the divestment of  
110 excess licenses completed at the time of the connection. The  
111 manufacturers may obtain a transfer of the excess licenses to  
112 the purchasers of the businesses if the application of the  
113 purchaser is approved by the division in accordance with the  
114 procedures provided in ss. 561.17, 561.18, 561.19, and 561.65.  
115 Failure to comply with this paragraph shall subject all  
116 connected manufacturers to disciplinary action.

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

117 Section 7. Subsection (14) of section 561.42, Florida  
118 Statutes, is amended to read:

119 561.42 Tied house evil; financial aid and assistance to  
120 vendor by manufacturer, distributor, importer, primary American  
121 source of supply, brand owner or registrant, or any broker,  
122 sales agent, or sales person thereof, prohibited; procedure for  
123 enforcement; exception.—

124 (14) The division shall adopt reasonable rules governing  
125 promotional displays and advertising, which rules shall not  
126 conflict with or be more stringent than the federal regulations  
127 pertaining to such promotional displays and advertising  
128 furnished to vendors by distributors, manufacturers, importers,  
129 primary American sources of supply, or brand owners or  
130 registrants, or any ~~broker,~~ sales agent, or sales person  
131 thereof; however:

132 (a) If a manufacturer, distributor, importer, brand owner,  
133 or brand registrant of malt beverage, or any ~~broker,~~ sales  
134 agent, or sales person thereof, provides a vendor with  
135 expendable retailer advertising specialties such as trays,  
136 coasters, mats, menu cards, napkins, cups, glasses,  
137 thermometers, and the like, such items ~~may shall~~ be sold only at  
138 a price not less than the actual cost to the industry member who  
139 initially purchased them, without limitation in total dollar  
140 value of such items sold to a vendor.

141 (b) Without limitation in total dollar value of such items  
142 provided to a vendor, a manufacturer, distributor, importer,

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

143 brand owner, or brand registrant of malt beverage, or any  
144 ~~broker,~~ sales agent, or sales person thereof, may rent, loan  
145 without charge for an indefinite duration, or sell durable  
146 retailer advertising specialties such as clocks, pool table  
147 lights, and the like, which bear advertising matter.

148 (c) If a manufacturer, distributor, importer, brand owner,  
149 or brand registrant of malt beverage, or any ~~broker,~~ sales  
150 agent, or sales person thereof, provides a vendor with consumer  
151 advertising specialties such as ashtrays, T-shirts, bottle  
152 openers, shopping bags, and the like, such items may ~~shall~~ be  
153 sold only at a price not less than the actual cost to the  
154 industry member who initially purchased them, and ~~but~~ may be  
155 sold without limitation in total value of such items sold to a  
156 vendor.

157 (d) A manufacturer, distributor, importer, brand owner, or  
158 brand registrant of malt beverage, or any ~~broker,~~ sales agent,  
159 or sales person thereof, may provide consumer advertising  
160 specialties described in paragraph (c) to consumers on any  
161 vendor's licensed premises.

162 ~~(e) Manufacturers, distributors, importers, brand owners,~~  
163 ~~or brand registrants of beer, and any broker, sales agent, or~~  
164 ~~sales person thereof, shall not conduct any sampling activities~~  
165 ~~that include tasting of their product at a vendor's premises~~  
166 ~~licensed for off-premises sales only.~~

167 (e)-(f) A manufacturer ~~Manufacturers, distributor~~  
168 ~~distributors, importer~~ importers, brand owner ~~owners~~, or brand

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

169 ~~registrant registrants~~ of malt beverages beer, and any ~~broker,~~  
170 sales agent~~,~~ or sales person thereof or contracted third-party,  
171 ~~may shall~~ not engage in cooperative advertising with a vendor  
172 and may not name a vendor in any advertising for a malt beverage  
173 tasting authorized under s. 563.09 vendors.

174 ~~(f)(g)~~ A distributor ~~Distributors~~ of malt beverages beer  
175 may sell to a vendor ~~vendors~~ draft equipment and tapping  
176 accessories at a price not less than the cost to the industry  
177 member who initially purchased them, except there is no required  
178 charge, and the a distributor may exchange any parts that which  
179 are not compatible with a competitor's system and are necessary  
180 to dispense the distributor's brands. A distributor of malt  
181 beverages beer may furnish to a vendor at no charge replacement  
182 parts of nominal intrinsic value, including, but not limited to,  
183 washers, gaskets, tail pieces, hoses, hose connections, clamps,  
184 plungers, and tap markers.

185 Section 8. Subsection (1) of section 561.5101, Florida  
186 Statutes, is amended to read:

187 561.5101 Come-to-rest requirement; exceptions; penalties.-

188 (1) For purposes of inspection and tax-revenue control,  
189 all malt beverages, except those manufactured and sold by the  
190 same licensee, pursuant to s. 561.221(2) or (3) ~~561.221(3)~~, must  
191 come to rest at the licensed premises of an alcoholic beverage  
192 wholesaler in this state before being sold to a vendor by the  
193 wholesaler. The prohibition contained in this subsection does  
194 not apply to the shipment of malt beverages commonly known as

572003

Approved For Filing: 4/22/2015 4:47:30 PM



Amendment No.

195 private labels. The prohibition contained in this subsection  
196 shall not prevent a manufacturer from shipping malt beverages  
197 for storage at a bonded warehouse facility, provided that such  
198 malt beverages are distributed as provided in this subsection or  
199 to an out-of-state entity.

200 Section 9. Subsections (3), (4), (5), and (6) of section  
201 561.57, Florida Statutes, are amended to read:

202 561.57 Deliveries by licensees.—

203 (3) A licensed vendor may transport alcoholic beverage  
204 purchases from a distributor's place of business to the vendor's  
205 licensed premises or off-premises storage, if the vehicle used  
206 to transport the alcoholic beverages is owned or leased by the  
207 vendor or any person who has been disclosed on a license  
208 application filed by the vendor and approved by the division ~~and~~  
209 ~~a valid vehicle permit has been issued for such vehicle.~~ A  
210 vehicle owned or leased by a person disclosed on a license  
211 application filed by the vendor and approved by the division  
212 under this subsection must be operated by such person when  
213 transporting alcoholic beverage purchases from a distributor's  
214 place of business to the vendor's licensed premises or off-  
215 premises storage.

216 ~~(4) A vehicle permit may be obtained by a licensed vendor~~  
217 ~~or any person authorized in subsection (3) upon application and~~  
218 ~~payment of a fee of \$5 per vehicle to the division. The~~  
219 ~~signature of the person authorized in subsection (3) must be~~  
220 ~~included on the vehicle permit application. Such permit remains~~

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

221 ~~valid and does not expire unless the vendor or any person~~  
222 ~~authorized in subsection (3) disposes of his or her vehicle, or~~  
223 ~~the vendor's alcoholic beverage license is transferred,~~  
224 ~~anceled, not renewed, or is revoked by the division, whichever~~  
225 ~~occurs first. The division shall cancel a vehicle permit issued~~  
226 ~~to a vendor upon request from the vendor. The division shall~~  
227 ~~cancel a vehicle permit issued to any person authorized in~~  
228 ~~subsection (3) upon request from that person or the vendor. By~~  
229 ~~acceptance of a vehicle permit, the vendor or any person~~  
230 ~~authorized in subsection (3) agrees that such vehicle is always~~  
231 ~~subject to inspection and search without a search warrant, for~~  
232 ~~the purpose of ascertaining that all provisions of the alcoholic~~  
233 ~~beverage laws are complied with, by authorized employees of the~~  
234 ~~division and also by sheriffs, deputy sheriffs, and police~~  
235 ~~officers during business hours or other times that the vehicle~~  
236 ~~is being used to transport or deliver alcoholic beverages. A~~  
237 ~~vehicle permit issued under this subsection and invoices or~~  
238 ~~sales tickets for alcoholic beverages purchased and transported~~  
239 ~~must be carried in the vehicle used by the vendor or any person~~  
240 ~~authorized in subsection (3) when the vendor's alcoholic~~  
241 ~~beverages are being transported or delivered.~~

242 (4)~~(5)~~ Nothing contained in this section shall prohibit  
243 deliveries by the licensee from his or her permitted storage  
244 area or deliveries by a distributor from the manufacturer to his  
245 or her licensed premises; nor shall a pool buying agent be  
246 prohibited from transporting pool purchases to the licensed

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

247 premises of his or her members with the licensee's owned or  
248 leased vehicles, ~~and in such cases, no vehicle permit shall be~~  
249 ~~required in the transporting of such alcoholic beverages.~~ In  
250 addition, a licensed salesperson of wine and spirits is  
251 authorized to deliver alcoholic beverages in his or her vehicle  
252 on behalf of the distributor ~~without having to obtain a vehicle~~  
253 ~~permit.~~

254 ~~(6) Common carriers are not required to have vehicle~~  
255 ~~permits to transport alcoholic beverages.~~

256 Section 10. Subsections (2), (3), (4), and (5) of section  
257 562.07, Florida Statutes, are amended to read:

258 562.07 Illegal transportation of beverages.—It is unlawful  
259 for alcoholic beverages to be transported in quantities of more  
260 than 12 bottles except as follows:

261 (2) In the owned or leased vehicles of licensed vendors or  
262 any persons authorized in s. 561.57(3) transporting alcoholic  
263 beverage purchases from the distributor's place of business to  
264 the vendor's licensed place of business or off-premises storage  
265 ~~and to which said vehicles are carrying a permit and invoices or~~  
266 ~~sales tickets~~ for alcoholic beverages purchased and transported  
267 as provided for in the alcoholic beverage law;

268 (3) By individuals who possess such beverages not for  
269 resale within the state;

270 (4) By licensed manufacturers, distributors, or vendors  
271 transporting ~~delivering~~ alcoholic beverages pursuant to s.

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

272 ~~561.57 away from their place of business in vehicles which are~~  
273 ~~owned or leased by such licensees; and~~

274 (5) By a vendor, distributor, pool buying agent, or  
275 salesperson of wine and spirits as outlined in s. 561.57(4)  
276 ~~561.57(5)~~.

277 Section 11. Subsection (6) is added to section 562.34,  
278 Florida Statutes, to read:

279 562.34 Containers; seizure and forfeiture.—

280 (6) Notwithstanding any provision of this section, it is  
281 not unlawful for any person to have in her or his possession,  
282 custody, or control a growler as described in s. 563.06(7),  
283 either full or empty, or to transport such growler.

284 Section 12. Subsections (1) and (6) of section 563.06,  
285 Florida Statutes, are amended, subsection (7) is renumbered as  
286 subsection (8), and a new subsection (7) is added to that  
287 section, to read:

288 563.06 Malt beverages; imprint on individual container;  
289 size of containers; exemptions.—

290 ~~(1) On and after October 1, 1959,~~ All taxable malt  
291 beverages packaged in individual containers possessed by any  
292 person in the state for the purpose of sale or resale in the  
293 state, except operators of railroads, sleeping cars, steamships,  
294 buses, and airplanes engaged in interstate commerce and licensed  
295 under this section, shall have imprinted thereon in clearly  
296 legible fashion by any permanent method the word "Florida" or  
297 "FL" and no other state name or abbreviation of any state name

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

298 in not less than 8-point type. The word "Florida" or "FL" shall  
299 appear first or last, if imprinted in conjunction with any  
300 manufacturer's code. A facsimile of the imprinting and its  
301 location as it will appear on the individual container shall be  
302 submitted to the division for approval.

303 (6) With the exception of growlers as described in  
304 subsection (7), all malt beverages packaged in individual  
305 containers sold or offered for sale by vendors at retail in this  
306 state shall be in individual containers containing no more than  
307 32 ounces of such malt beverages; ~~provided, however, that~~  
308 nothing contained in this section shall affect malt beverages  
309 packaged in bulk, ~~or~~ in kegs, or in barrels or in any individual  
310 container containing 1 gallon or more of such malt beverage  
311 regardless of individual container type.

312 (7) Notwithstanding any other provision of the Beverage  
313 Law, a malt beverage may be packaged in a growler, which is an  
314 individual container that holds 32, 64, or 128 ounces of such  
315 malt beverage, if it is filled at the point of sale.

316 (a) A growler may be filled or refilled by any of the  
317 following:

318 1. A licensed manufacturer of malt beverages holding a  
319 vendor's license under s. 561.221(2).

320 2. A vendor holding a quota license under s. 561.20(1) or  
321 s. 565.02(1)(a) that authorizes the sale of malt beverages.

322 3. A vendor holding a license under s. 563.02(1)(b)-(f),  
323 s. 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), unless such license

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

324 restricts the sale of malt beverages to sale for consumption  
325 only on the premises of such vendor.

326 (b) A growler must include an imprint or label that  
327 provides information specifying the name of the manufacturer,  
328 the brand, and the approximate percentage of alcohol by volume  
329 of the malt beverage. The container must have an unbroken seal  
330 or be incapable of being immediately consumed.

331 (c) A licensee authorized to fill or refill growlers may  
332 not use growlers for the purposes of distribution or sale  
333 outside of the licensed manufacturing premises or licensed  
334 vendor premises.

335 (d) A person, firm, or corporation, including its agents,  
336 officers, or employees, that violates subsection (7) commits a  
337 misdemeanor of the first degree, punishable as provided in s.  
338 775.082 or s. 775.083, and the license held by the person, firm,  
339 or corporation, if any, is subject to revocation or suspension  
340 by the division. A person, firm, or corporation, including its  
341 agents, officers, or employees, that violates paragraph (b) is  
342 subject to a fine by the division of up to \$250.

343 Section 13. Section 563.09, Florida Statutes, is created  
344 to read:

345 563.09 Malt beverage tastings by distributors and  
346 manufacturers.—

347 (1) A manufacturer, distributor, or importer of malt  
348 beverages, or any contracted third-party agent thereof, may

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

349 conduct sampling activities that include the tasting of malt  
350 beverage products on:

351 (a) The licensed premises of a vendor authorized to sell  
352 alcoholic beverages by the drink for consumption on premises; or

353 (b) The licensed premises of a vendor authorized to sell  
354 alcoholic beverages only in sealed containers for consumption  
355 off premises if:

356 1. The licensed premises is at an establishment with at  
357 least 10,000 square feet of interior floor space exclusive of  
358 storage space not open to the general public; or

359 2. The licensed premises is a package store licensed under  
360 s. 565.02(1)(a).

361 (2) A malt beverage tasting conducted under this section  
362 must be limited to and directed toward the general public of the  
363 age of legal consumption.

364 (3) For a malt beverage tasting conducted under this  
365 section on the licensed premises of a vendor authorized to sell  
366 alcoholic beverages for consumption on premises, each serving of  
367 a malt beverage to be tasted must be provided to the consumer by  
368 the drink in a tasting cup, glass, or other open container and  
369 may not be provided by the package in an unopened can or bottle  
370 or in any other sealed container.

371 (4) For a malt beverage tasting conducted under this  
372 section on the licensed premises of a vendor authorized to sell  
373 alcoholic beverages only in sealed containers for consumption  
374 off premises, the tasting must be conducted in the interior of

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

375 the building constituting the vendor's licensed premises and  
376 each serving of a malt beverage to be tasted must be provided to  
377 the consumer in a tasting cup having a capacity of 3.5 ounces or  
378 less.

379 (5) A manufacturer, distributor, or importer, or any  
380 contracted third-party agent thereof, may not pay a vendor, and  
381 a vendor may not accept, a fee or compensation of any kind,  
382 including the provision of a malt beverage at no cost or at a  
383 reduced cost, to authorize the conduct of a malt beverage  
384 tasting under this section.

385 (6) (a) A manufacturer, distributor, or importer, or any  
386 contracted third-party agent thereof, conducting a malt beverage  
387 tasting under this section must provide all of the beverages to  
388 be tasted, must have paid all excise taxes on those beverages  
389 which are required of the manufacturer or distributor, and must  
390 return to the manufacturer's or distributor's inventory all of  
391 the malt beverages provided for the tasting that remain  
392 unconsumed after the tasting. More than one tasting may be held  
393 on the licensed premises each day, but only one manufacturer,  
394 distributor, or importer, or contracted third-party agent  
395 thereof, may conduct a tasting on the premises at any one time.

396 (b) This subsection does not preclude a manufacturer,  
397 distributor, or importer, or any contracted third-party agent  
398 thereof, from buying the malt beverages that it provides for the  
399 tasting from a vendor at no more than the retail price, but all  
400 of the malt beverages so purchased and provided for the tasting

572003

Approved For Filing: 4/22/2015 4:47:30 PM



Amendment No.

401 which remain unconsumed after the tasting must be removed from  
402 the premises of the tasting and properly disposed of.

403 (7) A manufacturer, distributor, or importer of malt  
404 beverages that contracts with a third-party agent to conduct a  
405 malt beverage tasting under this section on its behalf is  
406 responsible for any violation of this section by such agent.

407 (8) This section does not preclude a vendor from  
408 conducting a malt beverage tasting on its licensed premises  
409 using malt beverages from its own inventory.

410 (9) This section is supplemental to and does not supersede  
411 any special act or ordinance.

412 (10) The division may, pursuant to ss. 561.08 and 561.11,  
413 adopt rules to implement, administer, and enforce this section.

414 Section 14. Section 563.10, Florida Statutes, is created  
415 to read:

416 563.10 Craft brewery signage.—Upon the request of a craft  
417 brewery licensed in this state, the Department of Transportation  
418 shall install directional signs for the craft brewery on the  
419 rights-of-way of interstate highways and primary and secondary  
420 roads in accordance with Florida's Highway Guide Sign Program as  
421 provided in chapter 14-51, Florida Administrative Code. A craft  
422 brewery licensed in this state that requests placement of a  
423 directional sign through the department's permit process shall  
424 pay all associated costs.

425 Section 15. Paragraphs (a) and (b) of subsection (1) of  
426 section 565.03, Florida Statutes, are redesignated as paragraphs

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

427 (b) and (c), respectively, a new paragraph (a) is added to that  
428 subsection, paragraph (c) of subsection (2) is amended, and  
429 subsection (7) is added to that section, to read:

430 565.03 License fees; manufacturers, distributors, brokers,  
431 sales agents, and importers of alcoholic beverages; vendor  
432 licenses and fees; craft distilleries.-

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

434 (a) "Branded product" means any distilled spirits product  
435 manufactured on site which requires a federal certificate and  
436 label approval pursuant to the Federal Alcohol Administration  
437 Act or federal regulations.

438 (2)

439 (c) A craft distillery licensed under this section may  
440 sell to consumers, at its souvenir gift shop, branded products  
441 ~~spirits~~ distilled on its premises in this state in factory-  
442 sealed containers that are filled at the distillery for off-  
443 premises consumption. Such sales are authorized only on private  
444 property contiguous to the licensed distillery premises in this  
445 state and included on the sketch or diagram defining the  
446 licensed premises submitted with the distillery's license  
447 application. All sketch or diagram revisions by the distillery  
448 shall require the division's approval verifying that the  
449 souvenir gift shop location operated by the licensed distillery  
450 is owned or leased by the distillery and on property contiguous  
451 to the distillery's production building in this state.

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

452 1. A craft distillery ~~or licensed distillery~~ may not sell  
453 any factory-sealed individual containers of spirits except in  
454 face-to-face sales transactions with consumers who are making a  
455 purchase, per calendar year, of no more than:

456 a. Two individual containers of each branded product;

457 b. Three individual containers of a single branded product  
458 and one individual container of a second branded product; or

459 c. Four individual containers of a single branded product.

460 2. Each container must:

461 a. Be sold in a face-to-face transaction with the consumer  
462 at the distillery's licensed premises in this state.

463 b. Comply with the container limits in s. 565.10.

464 c. Be purchased for the consumer's personal use and not  
465 for resale ~~two or fewer individual containers, that comply with~~  
466 the container limits in s. 565.10, per calendar year for the  
467 consumer's personal use and not for resale and who are present  
468 at the distillery's licensed premises in this state.

469 ~~3.1.~~ A craft distillery must report to the division within  
470 5 days after it reaches the production limitations provided in  
471 paragraph (1) (b) ~~(1) (a)~~. Any retail sales to consumers at the  
472 craft distillery's licensed premises are prohibited beginning  
473 the day after it reaches the production limitation.

474 ~~4.2.~~ A craft distillery may not only ship or, arrange to  
475 ship, ~~or deliver~~ any of its distilled spirits to consumers and  
476 may sell and deliver its distilled spirits only to consumers  
477 within the state in a face-to-face transaction at the distillery

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

478 property. However, a craft distiller licensed under this section  
479 may ship, arrange to ship, or deliver such spirits to  
480 manufacturers of distilled spirits, wholesale distributors of  
481 distilled spirits, state or federal bonded warehouses, and  
482 exporters.

483 ~~5.3.~~ Except as provided in subparagraph ~~6. 4.~~, it is  
484 unlawful to transfer a distillery license for a distillery that  
485 produces 75,000 or fewer gallons per calendar year of distilled  
486 spirits on its premises or any ownership interest in such  
487 license to an individual or entity that has a direct or indirect  
488 ownership interest in any distillery licensed in this state;  
489 another state, territory, or country; or by the United States  
490 government to manufacture, blend, or rectify distilled spirits  
491 for beverage purposes.

492 ~~6.4.~~ A craft distillery shall not have its ownership  
493 affiliated with another distillery, unless such distillery  
494 produces 75,000 or fewer gallons per calendar year of distilled  
495 spirits on each of its premises in this state or in another  
496 state, territory, or country.

497 (7) Upon the request of a craft distillery licensed in  
498 this state, the Department of Transportation shall install  
499 directional signs for the craft distillery on the rights-of-way  
500 of interstate highways and primary and secondary roads in  
501 accordance with Florida's Highway Guide Sign Program as provided  
502 in chapter 14-51, Florida Administrative Code. A craft  
503 distillery licensed in this state that requests placement of a

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

504 directional sign through the department's permit process shall  
505 pay all associated costs.

507 -----

508 **T I T L E A M E N D M E N T**

509 Between lines 170 and 171 of the amendment, insert:  
510 amending s. 402.82, F.S.; prohibiting electronic  
511 benefits transfer cards from being used or accepted to  
512 purchase an alcoholic beverage; amending s. 561.221,  
513 F.S.; providing requirements for a licensed  
514 manufacturer of malt beverages to sell such beverages  
515 directly to consumers; providing requirements for a  
516 licensed manufacturer to obtain a vendor's license;  
517 specifying circumstances under which a manufacturer  
518 may sell alcoholic beverages under its vendor's  
519 license; requiring a manufacturer to pay certain taxes  
520 and complete certain reports; providing applicability;  
521 amending s. 561.32, F.S.; providing procedures for  
522 manufacturers to comply with statutory maximum  
523 vendor's license requirements; amending s. 561.42,  
524 F.S.; deleting a prohibition against certain entities  
525 conducting tastings; revising requirements for  
526 promotional displays and advertising; amending s.  
527 561.5101, F.S.; conforming a cross-reference; amending  
528 s. 561.57, F.S.; revising restrictions on the vehicle  
529 required for use by a vendor who transports alcoholic

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

530 beverages; modifying provisions related to vehicle  
531 permits for vendors; amending s. 562.07, F.S.;  
532 conforming provisions; amending s. 562.34, F.S.;  
533 providing that possessing and transporting a growler  
534 is lawful; amending s. 563.06, F.S.; conforming  
535 provisions; providing for a malt beverage to be  
536 packaged in a growler; providing requirements for  
537 growlers; creating s. 563.09, F.S.; authorizing a  
538 licensed manufacturer, distributor, or importer, or  
539 any contracted third-party agent thereof, of malt  
540 beverages to conduct a malt beverage tasting;  
541 providing requirements and limitations; creating s.  
542 563.10, F.S.; requiring the Department of  
543 Transportation to install certain directional signs at  
544 specified locations upon the request of a craft  
545 brewery licensed in this state; requiring the  
546 requesting craft brewery to pay specified costs;  
547 amending s. 565.03, F.S.; defining the term "branded  
548 product"; revising the limitation on the number of  
549 containers that may be sold to consumers by craft  
550 distilleries; applying such limitation to individual  
551 containers for each branded product; prohibiting a  
552 craft distillery from shipping or arranging to ship  
553 any of its distilled spirits to consumers; limiting  
554 the sale and delivery of distilled spirits; revising a  
555 restriction on certain craft distillery ownership;

572003

Approved For Filing: 4/22/2015 4:47:30 PM

Amendment No.

556 requiring the Department of Transportation to install  
557 certain directional signs at specified locations upon  
558 the request of a craft distillery licensed in this  
559 state; requiring the requesting craft distillery to  
560 pay specified costs;

572003

Approved For Filing: 4/22/2015 4:47:30 PM