

HB 4023

2016

1 A bill to be entitled
2 An act relating to alcoholic beverages; amending s.
3 565.03, F.S.; removing certain restrictions on the
4 sale of individual containers of distilled spirits to
5 consumers in face-to-face transactions; providing an
6 effective date.

7

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

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10 Section 1. Paragraph (c) of subsection (2) of section
11 565.03, Florida Statutes, is amended to read:

12 565.03 License fees; manufacturers, distributors, brokers,
13 sales agents, and importers of alcoholic beverages; vendor
14 licenses and fees; craft distilleries.-

15 (2)

16 (c) A craft distillery licensed under this section may
17 sell to consumers, at its souvenir gift shop, branded products
18 distilled on its premises in this state in factory-sealed
19 containers that are filled at the distillery for off-premises
20 consumption. Such sales are authorized only on private property
21 contiguous to the licensed distillery premises in this state and
22 included on the sketch or diagram defining the licensed premises
23 submitted with the distillery's license application. All sketch
24 or diagram revisions by the distillery shall require the
25 division's approval verifying that the souvenir gift shop
26 location operated by the licensed distillery is owned or leased

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27 by the distillery and on property contiguous to the distillery's
28 production building in this state.

29 ~~1. A craft distillery may not sell any factory-sealed~~
30 ~~individual containers of spirits except in face-to-face sales~~
31 ~~transactions with consumers who are making a purchase of no more~~
32 ~~than:~~

33 ~~a. Two individual containers of each branded product;~~

34 ~~b. Three individual containers of a single branded product~~
35 ~~and up to one individual container of a second branded product;~~
36 ~~or~~

37 ~~e. Four individual containers of a single branded product.~~

38 1.2. Each container sold in face-to-face transactions with
39 consumers must comply with the container limits in s. 565.107
40 ~~per calendar year~~ for the consumer's personal use and not for
41 resale and who are present at the distillery's licensed premises
42 in this state.

43 2.3. A craft distillery must report to the division within
44 5 days after it reaches the production limitations provided in
45 paragraph (1)(b). Any retail sales to consumers at the craft
46 distillery's licensed premises are prohibited beginning the day
47 after it reaches the production limitation.

48 3.4. A craft distillery may not ship or arrange to ship
49 any of its distilled spirits to consumers and may sell and
50 deliver only to consumers within the state in a face-to-face
51 transaction at the distillery property. However, a craft
52 distiller licensed under this section may ship, arrange to ship,

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

56 ~~4.5.~~ Except as provided in subparagraph 5. ~~subparagraph~~
57 ~~6.~~, it is unlawful to transfer a distillery license for a
58 distillery that produces 75,000 or fewer gallons per calendar
59 year of distilled spirits on its premises or any ownership
60 interest in such license to an individual or entity that has a
61 direct or indirect ownership interest in any distillery licensed
62 in this state; another state, territory, or country; or by the
63 United States government to manufacture, blend, or rectify
64 distilled spirits for beverage purposes.

65 ~~5.6.~~ 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 each of its premises in this state or in another
69 state, territory, or country.

70 Section 2. This act shall take effect July 1, 2016.