

By the Committee on Regulated Industries; and Senators
Saunders and Geller

580-2336-07

1 A bill to be entitled
2 An act relating to the Beverage Law; amending
3 s. 561.14, F.S.; providing for a license
4 classification as a winery shipper; creating s.
5 561.585, F.S.; providing legislative intent;
6 authorizing certain direct shipments of wine to
7 persons 21 years of age or older for personal
8 consumption; requiring licensure of winery
9 shippers; providing requirements for licensure;
10 providing prohibitions; requiring that a winery
11 shipper licensee file a surety bond with the
12 Division of Alcoholic Beverages and Tobacco of
13 the Department of Business and Professional
14 Regulation; providing for an applicant to
15 obtain a temporary initial license; limiting
16 the amount that a winery shipper licensee may
17 ship to a household; requiring that each
18 container of wine shipped directly be labeled
19 with a notice; providing requirements for
20 verifying the age of a purchaser; requiring the
21 winery shipper licensee and common carrier to
22 obtain a signature of the addressee; providing
23 that belief by a licensee or common carrier of
24 a purchaser's legal age is a complete defense
25 to a civil action; requiring monthly reports to
26 the division by winery shipper licensees;
27 requiring a common carrier making deliveries of
28 wine to register with the division; requiring
29 that a common carrier maintain certain records;
30 requiring winery shipper licensees to collect
31 and remit taxes to the Department of Revenue;

1 requiring the maintenance of certain records
2 for a specified period; providing for audits by
3 the division and the Department of Revenue;
4 providing that a licensee is deemed to have
5 consented to the jurisdiction of the division,
6 other state agencies, local law enforcement
7 agencies, and state courts; providing
8 penalties; amending s. 561.54, F.S.; removing a
9 provision requiring that the licensee be
10 aggrieved by a violation involving prohibited
11 delivery from without the state in order to
12 have standing to bring an action; exempting
13 from such prohibition the shipment of wine by a
14 winery shipper licensee; amending s. 561.545,
15 F.S., relating to the prohibition against the
16 direct shipment of alcoholic beverages;
17 exempting applicability of such prohibition to
18 the shipment of wine by a winery shipper
19 licensee; amending s. 561.57, F.S.; providing
20 for Internet orders to be construed as
21 telephone orders; exempting common carriers,
22 licensees, or other persons using common
23 carriers as their agents from certain
24 report-filing requirements; requiring common
25 carriers to verify the age of persons receiving
26 shipments; amending s. 599.004, F.S.; revising
27 qualifications for certification of Florida
28 Farm Wineries; amending s. 561.24, F.S.;
29 authorizing certain manufacturers of wine
30 holding a distributor's license to renew such
31 license; removing an exemption of Florida Farm

1 Wineries from the prohibition against a
2 manufacturer's being licensed as a distributor
3 or registered as an exporter; providing for
4 severability; providing that certain contracts
5 are not impaired; providing for rulemaking by
6 the Division of Alcoholic Beverages and Tobacco
7 and the Department of Revenue; providing an
8 effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsection (8) is added to section 561.14,
13 Florida Statutes, to read:

14 561.14 License and registration
15 classification.--Licenses and registrations referred to in the
16 Beverage Law shall be classified as follows:

17 (8) Wineries licensed as winery shippers under s.
18 561.585.

19 Section 2. Section 561.585, Florida Statutes, is
20 created to read:

21 561.585 Direct shipment of wine for personal
22 consumption.--

23 (1) LEGISLATIVE INTENT.--It is the intent of the
24 Legislature that this section apply only to the sale and
25 distribution of wine produced by wineries that manufacture no
26 more than 250,000 gallons of wine per year. The Legislature
27 finds a rational basis for the limitations contained in this
28 section as the least discriminatory means of protecting the
29 public and state revenues through equivalent regulation of
30 farm wineries. It is the intent of the Legislature that the
31 state continue to maintain and enforce laws regulating the

1 importation, distribution, and sale of alcoholic beverages.
2 The Legislature finds that the importation, distribution, and
3 sale of alcoholic beverages require strict regulation of
4 orderly markets with transparent and accountable distribution
5 and sale to promote temperance by discouraging consumption by
6 underage persons and abusive consumption by adults and to
7 facilitate the collection of excise and sales taxes critical
8 to the fiscal health of the state. The Legislature finds that
9 this is best achieved by a comprehensive system of licensed
10 and regulated importation into and distribution and sale
11 within the state. The Legislature continues to maintain its
12 interest in the state exercising its proper police power,
13 ensuring enforcement of the Beverage Law, and regulating the
14 transportation, importation, distribution, and sale of
15 alcoholic beverages to the maximum extent allowed by the State
16 and United States Constitutions. The Legislature reaffirms its
17 intent that the direct shipment of beer and spirits to
18 residents of this state remains prohibited and reaffirms its
19 intent to uphold and preserve the laws of this state relating
20 to alcoholic beverages against constitutional challenges.

21 (2) WINERY SHIPPER LICENSURE REQUIREMENTS.--

22 (a) Notwithstanding any provision of the Beverage Law
23 or any rule to the contrary, a person, firm, corporation, or
24 other entity that is licensed as a winery shipper under this
25 section may ship wine directly to any person who is at least
26 21 years of age for personal use only and not for resale. In
27 order to obtain or renew a winery shipper's license, an
28 applicant must:

29 1. File an application with the division on forms
30 prescribed by the division.

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- 1 2. Qualify for licensure under ss. 561.15 and 561.17
2 or provide a true copy of a certification from the alcoholic
3 beverage licensing authority of the Federal Government or the
4 state in which the winery is located that qualifications for
5 that winery license include, at a minimum, the following
6 components:
- 7 a. Fingerprinting of applicants;
8 b. Disqualification of applicants under 21 years of
9 age;
- 10 c. Disqualification of applicants convicted of:
11 (I) Any violation of the beverage laws of this state,
12 the United States, or any other state in the past 5 years;
13 (II) Any felony in this state or another state within
14 the past 15 years; or
15 (III) Any criminal violation of the controlled
16 substance act of this state, the United States, or any other
17 state.
- 18 3. Obtain and maintain a current license as a primary
19 American source of supply as provided in s. 564.045.
- 20 4. Provide to the division a true copy of its current
21 wine manufacturer's license issued by this state or another
22 state and a true copy of its current federal basic permit as a
23 wine producer issued in accordance with the Federal Alcohol
24 Administration Act.
- 25 5. Provide to the division a copy of its registration
26 number from the Department of Revenue as a collector and
27 remitter of state sales tax and evidence that its registration
28 is current.
- 29 6. Provide to the division a copy of its appointment
30 of a registered agent in this state for acceptance of service
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1 of process. It must also notify the division upon a change in
2 registered agents.

3 7. Manufacture no more than 250,000 gallons of wine
4 per year.

5 8. Pay an annual license fee in the amount of \$250.

6 9. File with the division a surety bond acceptable to
7 the division in the sum of \$5,000 as surety for the payment of
8 all taxes, unless the volume of business done by the winery
9 shipper licensee is such that a bond of less than \$5,000 will
10 be adequate, in which case the division may accept a bond in a
11 lesser sum, but not less than \$1,000. The surety bond
12 currently on file with the division for a winery pursuant to
13 s. 561.37 is deemed to comply with this requirement. Any
14 applicant that has a surety bond for another license on file
15 with the division which is in excess of \$5,000 is deemed to be
16 in compliance with this requirement.

17 (b) An applicant under this section may obtain a
18 temporary initial license as provided in s. 561.181.

19 (c) The division may not issue a license under this
20 section if the applicant or licensee is owned by a winery that
21 manufactures more than 250,000 gallons of wine annually.

22 (d) A winery shipper licensee may not ship or cause to
23 be shipped the equivalent of more than 12 cases or 144 bottles
24 of wine per calendar year to any household. For purposes of
25 this section, a case is defined as a container of bottles
26 totaling not more than 9,000 milliliters of wine and a bottle
27 is defined as a container of not more than 750 milliliters of
28 wine.

29 (e) A winery shipper licensee shall comply with the
30 limitation on the size of a wine container as specified in s.
31 564.05.

1 (2) LABEL.--Each winery shipper licensee shall ensure
2 that the outside shipping label on each package is conspicuous
3 and includes the following components:

4 (a) This package contains alcohol.

5 (b) An adult signature is required.

6 (c) The recipient must be at least 21 years of age.

7 (3) AGE VERIFICATION.--Each winery shipper licensee
8 must verify the purchaser's age at the point of purchase
9 before completing any transaction and must refuse the sale of
10 wine to any person under 21 years of age. Verification methods
11 for purposes of this section must include receiving a copy,
12 electronic or otherwise, of a purchasers driver's license or
13 other acceptable identification card referenced in subsection
14 (4).

15 (4) SIGNATURE.--

16 (a) Each winery shipper licensee and common carrier
17 shall require, prior to delivery, that the signature of the
18 addressee or other person at least 21 years of age is obtained
19 after presentation of a valid driver's license, an
20 identification card issued under the provisions of s. 322.051,
21 a comparable identification card issued by another state which
22 indicates the person's age, a passport, or a United States
23 Uniformed Services identification card.

24 (b) A winery shipper licensee or common carrier who
25 violates this subsection shall have a complete defense to any
26 civil action therefor, except for any administrative action by
27 the division, if, at the time the alcoholic beverage was sold,
28 given, delivered, or transferred, the person falsely evidenced
29 that he or she was of legal age to purchase or consume the
30 alcoholic beverage and the appearance of the person was such
31 that an ordinarily prudent person would believe him or her to

1 be of legal age to purchase or consume the alcoholic beverage
2 and if the winery shipper licensee or common carrier acted in
3 good faith and in reliance upon the representation and
4 appearance of the person in the belief that he or she was of
5 legal age to purchase or consume the alcoholic beverage and
6 carefully checked one of the following forms of identification
7 with respect to the person: a valid driver's license, an
8 identification card issued under the provisions of s. 322.051,
9 a comparable identification card issued by another state which
10 indicates the person's age, a passport, or a United States
11 Uniformed Services identification card.

12 (5) MONTHLY REPORT.--

13 (a) Each winery shipper licensee shall report monthly
14 to the division on forms prescribed by the division:

15 1. Whether any wine product was shipped into or within
16 this state under this section during the preceding month.

17 2. The total amount of wine shipped into or within
18 this state under this section during the preceding month.

19 3. The quantity and types of wine shipped into or
20 within this state under this section during the preceding
21 month.

22 4. The amount of excise tax paid to the division for
23 shipments of wine into or within this state under this section
24 during the preceding month.

25 (b) The report required by this subsection is not
26 required from a winery shipper licensee who files a monthly
27 report pursuant to s. 561.55 which contains all the
28 information required in paragraph (a). The division may
29 prescribe the format for submission of this information in
30 order to eliminate duplicate filings.

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1 (6) COMMON CARRIERS.--Common carriers making
2 deliveries under this section shall:

3 (a) Register with the division and acknowledge their
4 intent to deliver wines and acknowledge the requirements for
5 delivery of such shipments;

6 (b) Refuse to deliver a shipment if the recipient
7 appears to be under 21 years of age and does not present valid
8 identification required by this section; and

9 (c) Obtain the recipient's address, signature, and
10 acknowledgement of personal consumption for each delivery,
11 maintain such records for 3 years, and have them available for
12 inspection upon request by the division.

13 (7) TAXES.--

14 (a) Each winery shipper licensee shall collect and
15 remit monthly to the Department of Revenue all sales taxes and
16 pay to the division all excise taxes due on sales to persons
17 in this state for the preceding month. Notwithstanding s.
18 212.0596, the amount of such taxes shall be calculated as if
19 the sale took place at the location where the delivery
20 occurred in this state.

21 (b) Each winery shipper licensee shall maintain
22 records of its direct shipments of wine into or within the
23 state, including the purchasers' names and dates of birth,
24 copies of the identification cards required under subsection
25 (3), the purchasers' addresses, the amounts delivered, and the
26 dates of each shipment for at least 3 years following the date
27 of delivery, and shall allow the Department of Revenue and the
28 division, upon request, to audit and inspect such records.
29 Such audits may not exceed the frequency of audits of a
30 licensee under the Beverage Law generally, but shall occur not
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1 less than once per year. The winery shipper shall furnish any
2 document within 30 days after a request is made.

3 (c) The cost of performing an audit under paragraph
4 (b) shall be assigned to the agency requesting the audit
5 unless the winery shipper licensee is found to be in material
6 violation of this subsection, in which case the cost of the
7 audit shall be assigned to the licensee.

8 (8) JURISDICTION.--Each winery shipper licensee is
9 deemed to have consented to the jurisdiction of the division,
10 any other state agency, local law enforcement agencies, and
11 the courts of this state concerning enforcement of this
12 section and any related laws or rules.

13 (9) PENALTIES.--

14 (a) In addition to any other penalty provided in the
15 Beverage Law, the division may suspend or revoke a winery
16 shipper license or impose fines on the winery shipper licensee
17 in an amount not to exceed \$2,500 per violation for any
18 violation of this section.

19 (b) A winery shipper licensee that knowingly and
20 intentionally ships, or causes to be shipped, wine to any
21 person under 21 years of age in this state commits a felony of
22 the third degree, punishable as provided in s. 775.082, s.
23 775.083 or s. 775.084.

24 (c) Any common carrier, permit carrier, or other
25 commercial conveyance that knowingly and intentionally
26 delivers wine directly to any person under 21 years of age in
27 this state commits a misdemeanor of the second degree,
28 punishable as provided in s. 775.082 or s. 775.083.

29 (d) A person who knowingly and intentionally obtains
30 wine from a winery shipper licensee in violation of this
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1 section commits a misdemeanor of the second degree, punishable
2 as provided in s. 775.082 or s. 775.083.

3 Section 3. Section 561.54, Florida Statutes, is
4 amended to read:

5 561.54 Certain deliveries of beverages prohibited.--

6 (1) It is unlawful for common or permit carriers,
7 operators of privately owned cars, trucks, buses, or other
8 conveyances or out-of-state manufacturers or suppliers to make
9 delivery from without the state of any alcoholic beverage to
10 any person, association of persons, or corporation within the
11 state, except to qualified manufacturers, distributors, and
12 exporters of such beverages so delivered and to qualified
13 bonded warehouses in this state.

14 (2) Any licensee ~~aggrieved by a violation of this~~
15 ~~section~~ may bring an action in any court of competent
16 jurisdiction to recover for the state all moneys obtained by
17 common carriers or permit carriers; obtained by operators of
18 privately owned cars, trucks, buses, or other conveyances; or
19 obtained by out-of-state manufacturers or suppliers as a
20 result of the delivery of alcoholic beverages in violation of
21 this section, and may obtain a declaratory judgment that an
22 act or practice violates this section and enjoin any person
23 from violating this section. In addition to such relief, the
24 court may order the confiscation and destruction of any
25 alcoholic beverages delivered in violation of this section. In
26 assessing damages, the court shall enter judgment against a
27 defendant for three times the amount of the delivery charges
28 proved or the fair market value of merchandise unlawfully
29 brought into the state. Payment or satisfaction of any
30 judgment under this section, other than for costs and
31 attorney's fees, shall be made in its entirety to the state.

1 In any successful action under this section, the court shall
2 award the plaintiff costs and reasonable attorney's fees.

3 (3) This section does not apply to the shipment of
4 wine by a winery shipper licensee to a person who is at least
5 21 years of age in accordance with s. 561.585.

6 Section 4. Section 561.545, Florida Statutes, is
7 amended to read:

8 561.545 Certain shipments of beverages prohibited;
9 penalties; exceptions.--The Legislature finds that the direct
10 shipment of alcoholic beverages by persons in the business of
11 selling alcoholic beverages to residents of this state in
12 violation of the Beverage Law poses a serious threat to the
13 public health, safety, and welfare; to state revenue
14 collections; and to the economy of the state. The Legislature
15 further finds that the penalties for illegal direct shipment
16 of alcoholic beverages to residents of this state should be
17 made adequate to ensure compliance with the Beverage Law and
18 that the measures provided for in this section are fully
19 consistent with the powers conferred upon the state by the
20 Twenty-first Amendment to the United States Constitution.

21 (1) Any person in the business of selling alcoholic
22 beverages who knowingly and intentionally ships, or causes to
23 be shipped, any alcoholic beverage from an out-of-state
24 location directly to any person in this state who does not
25 hold a valid manufacturer's or wholesaler's license or
26 exporter's registration issued by the Division of Alcoholic
27 Beverages and Tobacco or who is not a state-bonded warehouse
28 is in violation of this section.

29 (2) Any common carrier or permit carrier or any
30 operator of a privately owned car, truck, bus, or other
31 conveyance who knowingly and intentionally transports any

1 alcoholic beverage from an out-of-state location directly to
2 any person in this state who does not hold a valid
3 manufacturer's or wholesaler's license or exporter's
4 registration or who is not a state-bonded warehouse is in
5 violation of this section.

6 (3) Any person found by the division to be in
7 violation of subsection (1) shall be issued a notice, by
8 certified mail, to show cause why a cease and desist order
9 should not be issued. Any person who violates subsection (1)
10 within 2 years after receiving a cease and desist order or
11 within 2 years after a prior conviction for violating
12 subsection (1) commits a felony of the third degree,
13 punishable as provided in s. 775.082, s. 775.083, or s.
14 775.084.

15 (4) Any common carrier or permit carrier, or any
16 operator of a privately owned car, truck, bus, or other
17 conveyance found by the division to be in violation of
18 subsection (2) as a result of a second or subsequent delivery
19 from the same source and location, within a 2-year period
20 after the first delivery shall be issued a notice, by
21 certified mail, to show cause why a cease and desist order
22 should not be issued. Any person who violates subsection (2)
23 within 2 years after receiving the cease and desist order or
24 within 2 years after a prior conviction for violating
25 subsection (2) commits a felony of the third degree,
26 punishable as provided in s. 775.082, s. 775.083, or s.
27 775.084.

28 (5) This section does not apply to:

29 (a) The direct shipment of sacramental alcoholic
30 beverages to bona fide religious organizations as authorized
31 by the division;

1 **(b) The ~~or to~~ possession of alcoholic beverages in**
2 **accordance with s. 562.15(2); or**

3 **(c) The shipment of wine in accordance with s.**
4 **561.585.**

5 Section 5. Subsections (1) and (6) of section 561.57,
6 Florida Statutes, are amended to read:

7 561.57 Deliveries by licensees.--

8 (1) Vendors shall be permitted to make deliveries away
9 from their places of business of sales actually made at the
10 licensed place of business; provided, telephone or mail orders
11 received at vendor's licensed place of business shall be
12 construed as a sale actually made at the vendor's licensed
13 place of business. **For purposes of this section, Internet**
14 **orders shall be construed as telephone orders.**

15 (6) Common carriers are not required to have vehicle
16 permits to transport alcoholic beverages. **This section does**
17 **not prohibit any common carrier or any licensee or other**
18 **person using a common carrier as his or her agent from making**
19 **deliveries of alcoholic beverages within the state. Deliveries**
20 **of alcoholic beverages by common carriers or by licensees or**
21 **other persons using common carriers as their agents under this**
22 **section are exempt from the report-filing requirements in s.**
23 **562.20. Each common carrier acting as a designated agent for**
24 **delivery under this section shall verify that any person**
25 **receiving alcoholic beverages is at least 21 years of age upon**
26 **the delivery of such alcoholic beverages, as prescribed in**
27 **division rules.**

28 Section 6. Subsection (1) of section 599.004, Florida
29 Statutes, is amended to read:

30 599.004 Florida Farm Winery Program; registration;
31 logo; fees.--

1 (1) The Florida Farm Winery Program is established
2 within the Department of Agriculture and Consumer Services.
3 Under this program, a winery may qualify as a tourist
4 attraction only if it is registered with and certified by the
5 department as a Florida Farm Winery. A winery may not claim to
6 be certified unless it has received written approval from the
7 department.

8 (a) To qualify as a certified Florida Farm Winery, a
9 winery shall meet the following standards:

10 1. Produce or sell less than 250,000 gallons of wine
11 annually of which at least 60 percent of wine produced must be
12 made from this state's agricultural products. The Commissioner
13 of Agriculture may waive this requirement in times of
14 hardship.

15 2. Maintain a minimum of 10 acres of owned or managed
16 vineyards in Florida.

17 3. Be open to the public for tours, tastings, and
18 sales at least 30 hours each week.

19 4. Make annual application to the department for
20 recognition as a Florida Farm Winery, on forms provided by the
21 department.

22 5. Pay an annual application and registration fee of
23 \$100.

24 (b) To maintain certification and recognition as a
25 Florida Farm Winery, a winery must comply with the
26 qualifications provided in this section. The Commissioner of
27 Agriculture is authorized to officially recognize a certified
28 Florida Farm Winery as a state tourist attraction.

29 Section 7. Subsection (5) of section 561.24, Florida
30 Statutes, is amended to read:

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1 561.24 Licensing manufacturers as distributors or
2 registered exporters prohibited; procedure for issuance and
3 renewal of distributors' licenses and exporters'
4 registrations.--

5 (5) Notwithstanding any of the provisions of the
6 foregoing subsections, any corporation which holds a license
7 as a distributor on June 3, 1947, shall be entitled to a
8 renewal thereof, provided such corporation complies with all
9 of the provisions of the Beverage Law of Florida, as amended,
10 and of this section and establishes by satisfactory evidence
11 to the division that, during the 6-month period next preceding
12 its application for such renewal, of the total volume of its
13 sales of spirituous liquors, in either dollars or quantity,
14 not more than 40 percent of such spirituous liquors sold by
15 it, in either dollars or quantity, were manufactured,
16 rectified, or distilled by any corporation with which the
17 applicant is affiliated, directly or indirectly, including any
18 corporation which owns or controls in any way any stock in the
19 applicant corporation or any corporation which is a subsidiary
20 or affiliate of the corporation so owning stock in the
21 applicant corporation. Any manufacturer of wine holding a
22 license as a distributor on July 1, 2007, ~~the effective date~~
23 ~~of this act~~ shall be entitled to a renewal of such license
24 notwithstanding the provisions of subsections (1)-(5). ~~This~~
25 ~~section does not apply to any winery qualifying as a certified~~
26 ~~Florida Farm Winery under s. 599.004.~~

27 Section 8. If any portion of this act is held
28 unconstitutional, it is the intent of the Legislature that the
29 courts disturb only as much of the regulatory system of this
30 state as is necessary to enforce the United States
31 Constitution.

1 Section 9. Notwithstanding the provisions of s.
2 561.585, Florida Statutes, contracts not otherwise prohibited
3 by the Beverage Law shall not be impaired.

4 Section 10. The Division of Alcoholic Beverages and
5 Tobacco of the Department of Business and Professional
6 Regulation and the Department of Revenue may adopt rules
7 pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to
8 administer this act.

9 Section 11. This act shall take effect upon becoming a
10 law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bills 126 and 2282

4 The committee substitute combines SB's 126 and 2282.
5 Regarding SB 126, the CS:

- 6 - Amends s. 561.585, F.S., to provide a statement of
Legislative intent;
- 7 - Requires that winery shippers register with the
8 Department of Revenue;
- 9 - Requires that winery shippers appoint a registered agent;
- 10 - Limits direct shipments of wine to the equivalent of 12
cases or 144 bottles per household and defines the terms
11 "case" and "bottles;"
- 12 - Requires that winery shippers comply with the wine
container limits in s. 564.05, F.S.;
- 13 - Requires age verification at the time of sale;
- 14 - Establishes registration and delivery requirements for
common carriers;
- 15 - Requires that winery shippers keep a record of
16 purchasers' birthdates, submit to annual audits, and
comply with records requests within 30 days;
- 17 - Requires that winery shippers consent to the jurisdiction
18 of local law enforcement agencies; and
- 19 - Removes the provision in s. 561.57, F.S., that gives
20 common carriers a defense for deliveries to persons under
21 years of age.

21 Regarding SB 2282, the CS:

- 22 - Amends s. 561.14, F.S., to create a license
23 classification for winery shippers;
- 24 - Does not disqualify winery shippers who have an appointed
distributor, unless they provide a one year notice to the
25 distributor of their intent to direct ship;
- 26 - Limits direct shipments of wine to the equivalent of 12
cases or 144 bottles per household;
- 27 - Requires that winery shippers consent to the jurisdiction
of local law enforcement agencies;
- 28 - Limits the fine that may be imposed on winery shippers
29 for violations to \$2,500;
- 30 - Creates second degree misdemeanor violations for winery
shippers who deliver wine to a person under 21 years of
31 age and for persons who knowingly and intentionally
obtain wine in violation of s. 561.585, F.S.;

- 1 - Removes the provision for cease and desist orders for
2 violations and the third degree felony penalty for
3 violations of a cease and desist order;
4 - Removes the prohibition in s. 561, F.S., against wineries
5 being licensed as distributors;
6 - Does not amend s. 561.545, F.S., to eliminate the
7 prohibition against direct shipping wines;
8 - Does not amend s. 564.045, F.S., relating to licensure as
9 a primary American source of supply;
10 - Requires that at least 60 percent of wine produced by
11 Certified Florida Farm Wineries must be made from Florida
12 agricultural products;
13 - Provides a severability clause; and
14 - Provides that s. 561.585, F.S., is not intended to impair
15 certain contracts.
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