

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 the sale and  
10 delivery of distilled spirits; revising a restriction  
11 on certain craft distillery ownership; requiring the  
12 Department of Transportation to install certain  
13 directional signs at specified locations upon the  
14 request of a craft distillery licensed in this state;  
15 requiring the requesting craft distillery to pay  
16 specified costs; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Paragraphs (a) and (b) of subsection (1) of  
21 section 565.03, Florida Statutes, are redesignated as paragraphs  
22 (b) and (c), respectively, a new paragraph (a) is added to that  
23 subsection, paragraph (c) of subsection (2) is amended, and  
24 subsection (6) is added to that section, to read:

25 565.03 License fees; manufacturers, distributors, brokers,  
26 sales agents, and importers of alcoholic beverages; vendor

27 licenses and fees; craft distilleries.—

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

29 (a) "Branded product" means any distilled spirits product  
 30 manufactured on site which requires a federal certificate and  
 31 label approval by the Federal Alcohol Administration Act or  
 32 federal regulations.

33 (2)

34 (c) A craft distillery licensed under this section may  
 35 sell to consumers, at its souvenir gift shop, branded products  
 36 ~~spirits~~ distilled on its premises in this state in factory-  
 37 sealed containers that are filled at the distillery for off-  
 38 premises consumption. Such sales are authorized only on private  
 39 property contiguous to the licensed distillery premises in this  
 40 state and included on the sketch or diagram defining the  
 41 licensed premises submitted with the distillery's license  
 42 application. All sketch or diagram revisions by the distillery  
 43 shall require the division's approval verifying that the  
 44 souvenir gift shop location operated by the licensed distillery  
 45 is owned or leased by the distillery and on property contiguous  
 46 to the distillery's production building in this state.

47 1. A craft distillery ~~or licensed distillery~~ may not sell  
 48 any factory-sealed individual containers of spirits except in  
 49 face-to-face sales transactions with consumers who are making a  
 50 purchase of no more than:

51 a. Two individual containers of each branded product;

52 b. Three individual containers of a single branded product

53 and one individual container of a second branded product; or  
54 c. Four individual containers of a single branded product.

55 2. Each container sold in face-to-face transactions with  
56 consumers must ~~two or fewer individual containers, that~~ comply  
57 with the container limits in s. 565.10, per calendar year for  
58 the consumer's personal use and not for resale and who are  
59 present at the distillery's licensed premises in this state.

60 ~~3.1.~~ A craft distillery must report to the division within  
61 5 days after it reaches the production limitations provided in  
62 paragraph (1) (b) ~~(1) (a)~~. Any retail sales to consumers at the  
63 craft distillery's licensed premises are prohibited beginning  
64 the day after it reaches the production limitation.

65 ~~4.2.~~ A craft distillery may not ~~only~~ ship or, ~~arrange to~~  
66 ship, ~~or deliver~~ any of its distilled spirits to consumers and  
67 may sell and deliver only to consumers within the state in a  
68 face-to-face transaction at the distillery property. However, a  
69 craft distiller licensed under this section may ship, arrange to  
70 ship, or deliver such spirits to manufacturers of distilled  
71 spirits, wholesale distributors of distilled spirits, state or  
72 federal bonded warehouses, and exporters.

73 ~~5.3.~~ Except as provided in subparagraph 6. 4., it is  
74 unlawful to transfer a distillery license for a distillery that  
75 produces 75,000 or fewer gallons per calendar year of distilled  
76 spirits on its premises or any ownership interest in such  
77 license to an individual or entity that has a direct or indirect  
78 ownership interest in any distillery licensed in this state;

79 another state, territory, or country; or by the United States  
80 government to manufacture, blend, or rectify distilled spirits  
81 for beverage purposes.

82 ~~6.4.~~ A craft distillery shall not have its ownership  
83 affiliated with another distillery, unless such distillery  
84 produces 75,000 or fewer gallons per calendar year of distilled  
85 spirits on each of its premises in this state or in another  
86 state, territory, or country.

87 (6) Upon the request of a craft distillery licensed in  
88 this state, the Department of Transportation shall install  
89 directional signs for the craft distillery on the rights-of-way  
90 of interstate highways and primary and secondary roads in  
91 accordance with Florida's Highway Guide Sign Program as provided  
92 in chapter 14-51, Florida Administrative Code. A craft  
93 distillery licensed in this state that requests placement of a  
94 directional sign through the department's permit process shall  
95 pay all associated costs.

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