

1 A bill to be entitled
2 An act relating to alcoholic beverages; amending s.
3 402.82, F.S.; prohibiting electronic benefits transfer
4 cards from being used or accepted to purchase an
5 alcoholic beverage; amending s. 561.221, F.S.;
6 providing requirements for a licensed manufacturer of
7 malt beverages to sell such beverages directly to
8 consumers; providing requirements for a licensed
9 manufacturer to obtain a vendor's license; specifying
10 circumstances under which a manufacturer may sell
11 alcoholic beverages under its vendor's license;
12 requiring a manufacturer to pay certain taxes and
13 complete certain reports; providing applicability;
14 amending s. 561.32, F.S.; providing procedures for
15 manufacturers to comply with statutory maximum
16 vendor's license requirements; amending s. 561.42,
17 F.S.; deleting a prohibition against certain entities
18 conducting tastings; revising requirements for
19 promotional displays and advertising; amending s.
20 561.5101, F.S.; conforming a cross-reference; amending
21 s. 561.57, F.S.; revising restrictions on the vehicle
22 required for use by a vendor who transports alcoholic
23 beverages; modifying provisions related to vehicle
24 permits for vendors; amending s. 562.07, F.S.;
25 conforming provisions; amending s. 562.34, F.S.;
26 providing that possessing and transporting a growler

27 | is lawful; amending s. 563.06, F.S.; conforming
28 | provisions; providing for a malt beverage to be
29 | packaged in a growler; providing requirements for
30 | growlers; creating s. 563.09, F.S.; authorizing a
31 | licensed manufacturer, distributor, or importer, or
32 | any contracted third-party agent thereof, of malt
33 | beverages to conduct a malt beverage tasting;
34 | providing requirements and limitations; creating s.
35 | 563.10, F.S.; requiring the Department of
36 | Transportation to install certain directional signs at
37 | specified locations upon the request of a craft
38 | brewery licensed in this state; requiring the
39 | requesting craft brewery to pay specified costs;
40 | amending s. 565.03, F.S.; defining the term "branded
41 | product"; revising the limitation on the number of
42 | containers that may be sold to consumers by craft
43 | distilleries; applying such limitation to individual
44 | containers for each branded product; prohibiting a
45 | craft distillery from shipping or arranging to ship
46 | any of its distilled spirits to consumers; limiting
47 | the sale and delivery of distilled spirits; revising a
48 | restriction on certain craft distillery ownership;
49 | requiring the Department of Transportation to install
50 | certain directional signs at specified locations upon
51 | the request of a craft distillery licensed in this
52 | state; requiring the requesting craft distillery to

53 pay specified costs; providing an effective date.

54

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

56

57 Section 1. Paragraph (a) of subsection (4) of section
58 402.82, Florida Statutes, is amended to read:

59 402.82 Electronic benefits transfer program.—

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

63 (a) The purchase of an alcoholic beverage as defined in s.
64 561.01 and sold pursuant to the Beverage Law and the purchase of
65 any item sold at ~~An establishment licensed under the Beverage~~
66 ~~Law to sell distilled spirits as a vendor and restricted as to~~
67 ~~the types of products that can be sold under ss. 565.04 and~~
68 ~~565.045 or a bottle club as defined in s. 561.01.~~

69 Section 2. Subsection (2) of section 561.221, Florida
70 Statutes, is amended to read:

71 561.221 Retail exceptions to manufacturing licenses;
72 brewing exceptions to vendor licenses ~~Licensing of manufacturers~~
73 ~~and distributors as vendors and of vendors as manufacturers;~~
74 conditions and limitations.—

75 (2) On or after July 1, 2015, the division may ~~is~~
76 ~~authorized to issue~~ one vendor's license ~~licenses~~ to a
77 manufacturer of malt beverages at no more than eight licensed
78 manufacturing premises for which the manufacturer has an

79 interest, directly or indirectly, in the license. The
80 manufacturer must meet the following requirements:

81 (a) A transaction must be a face-to-face transaction,
82 which, notwithstanding s. 561.57(1), requires the consumer to be
83 physically present on the licensed manufacturing premises at the
84 time of purchase, or submit and pay for an online order before
85 picking up the beverages, and to take physical receipt of the
86 beverages on the licensed manufacturing premises.

87 (b) The vendor's license must be located on the licensed
88 manufacturing premises consisting of a single complex that
89 includes a brewery. Such premises may be divided by no more than
90 one public street or highway. The licensed vendor premises shall
91 be included on the sketch or diagram defining the licensed
92 premises submitted with the manufacturer's license application
93 pursuant to s. 561.01(11). All sketch or diagram revisions by
94 the manufacturer must be approved by the division, and the
95 division shall verify that the vendor premises operated by the
96 licensed manufacturer is owned or leased by the manufacturer and
97 is located on the licensed manufacturing premises.

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

100 1. Malt beverages for:

101 a. On-premises consumption;

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

104 c. Off-premises consumption in growlers pursuant to s.

105 563.06(7).

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

108 (d) A manufacturer of malt beverages licensed pursuant to
109 this subsection is responsible for paying applicable excise
110 taxes to the division and submitting applicable reports pursuant
111 to ss. 561.50 and 561.55 with respect to the amount of malt
112 beverages manufactured and sold pursuant to its vendor's license
113 or given to consumers.

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

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

123 (g) A manufacturer or a group of manufacturers that are
124 connected may not hold vendor's licenses under this subsection
125 at more than a total of eight licensed manufacturing premises,
126 and a separate vendor's license is required for each
127 manufacturing premises. For purposes of this paragraph, a
128 manufacturer is considered connected to another manufacturer if
129 it directly or indirectly, through one or more intermediaries,
130 controls or is controlled by, or is under common control with,

131 the other manufacturer. A manufacturer is also considered
132 connected to another manufacturer if either manufacturer has any
133 direct or indirect ownership interest in the other manufacturer;
134 if another person or entity has any direct or indirect ownership
135 interest in both manufacturers; or if both manufacturers have
136 any common officer, director, or manager, operate under the
137 direction of common management, or control any assets related to
138 a business for which a malt beverage manufacturer license is
139 issued. However, an ownership interest of less than 10 percent
140 in a manufacturer, including the purchase of stock, does not
141 constitute an ownership interest sufficient to create a
142 connection to that manufacturer under this paragraph, ~~even if~~
143 ~~such manufacturer is also licensed as a distributor, for the~~
144 ~~sale of alcoholic beverages on property consisting of a single~~
145 ~~complex, which property shall include a brewery and such other~~
146 ~~structures which promote the brewery and the tourist industry of~~
147 ~~the state. However, such property may be divided by no more than~~
148 ~~one public street or highway.~~

149 Section 3. Paragraph (c) is added to subsection (1) of
150 section 561.32, Florida Statutes, to read:

151 561.32 Transfer of licenses; change of officers or
152 directors; transfer of interest.-

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

155 (c) Before a manufacturer connects with one or more
156 manufacturers as described in s. 561.221(2)(g), which would

157 result in the connected manufacturers together holding a number
158 of vendor's licenses in excess of the maximum number of licenses
159 allowed pursuant to s. 561.221(2), the manufacturer must submit
160 a detailed plan for divestment of the businesses for which the
161 excess licenses have been issued and have the divestment of
162 excess licenses completed at the time of the connection. The
163 manufacturers may obtain a transfer of the excess licenses to
164 the purchasers of the businesses if the application of the
165 purchaser is approved by the division in accordance with the
166 procedures provided in ss. 561.17, 561.18, 561.19, and 561.65.
167 Failure to comply with this paragraph shall subject all
168 connected manufacturers to disciplinary action.

169 Section 4. Subsection (14) of section 561.42, Florida
170 Statutes, is amended to read:

171 561.42 Tied house evil; financial aid and assistance to
172 vendor by manufacturer, distributor, importer, primary American
173 source of supply, brand owner or registrant, or any broker,
174 sales agent, or sales person thereof, prohibited; procedure for
175 enforcement; exception.—

176 (14) The division shall adopt reasonable rules governing
177 promotional displays and advertising, which rules shall not
178 conflict with or be more stringent than the federal regulations
179 pertaining to such promotional displays and advertising
180 furnished to vendors by distributors, manufacturers, importers,
181 primary American sources of supply, or brand owners or
182 registrants, or any ~~broker,~~ sales agent, or sales person

183 thereof; however:

184 (a) If a manufacturer, distributor, importer, brand owner,
185 or brand registrant of malt beverage, or any ~~broker~~, sales
186 agent, or sales person thereof, provides a vendor with
187 expendable retailer advertising specialties such as trays,
188 coasters, mats, menu cards, napkins, cups, glasses,
189 thermometers, and the like, such items may ~~shall~~ be sold only at
190 a price not less than the actual cost to the industry member who
191 initially purchased them, without limitation in total dollar
192 value of such items sold to a vendor.

193 (b) Without limitation in total dollar value of such items
194 provided to a vendor, a manufacturer, distributor, importer,
195 brand owner, or brand registrant of malt beverage, or any
196 ~~broker~~, sales agent, or sales person thereof, may rent, loan
197 without charge for an indefinite duration, or sell durable
198 retailer advertising specialties such as clocks, pool table
199 lights, and the like, which bear advertising matter.

200 (c) If a manufacturer, distributor, importer, brand owner,
201 or brand registrant of malt beverage, or any ~~broker~~, sales
202 agent, or sales person thereof, provides a vendor with consumer
203 advertising specialties such as ashtrays, T-shirts, bottle
204 openers, shopping bags, and the like, such items may ~~shall~~ be
205 sold only at a price not less than the actual cost to the
206 industry member who initially purchased them, and ~~but~~ may be
207 sold without limitation in total value of such items sold to a
208 vendor.

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

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

219 ~~(e)-(f)~~ A manufacturer ~~Manufacturers, distributor~~
 220 ~~distributors, importer importers, brand owner owners,~~ or brand
 221 registrant registrants of malt beverages ~~beer,~~ and any ~~broker,~~
 222 sales agent, ~~or sales person thereof~~ or contracted third-party,
 223 may shall not engage in cooperative advertising with a vendor
 224 and may not name a vendor in any advertising for a malt beverage
 225 tasting authorized under s. 563.09 vendors.

226 ~~(f)-(g)~~ A distributor ~~Distributors~~ of malt beverages ~~beer~~
 227 may sell to a vendor ~~vendors~~ draft equipment and tapping
 228 accessories at a price not less than the cost to the industry
 229 member who initially purchased them, except there is no required
 230 charge, and the ~~a~~ distributor may exchange any parts that ~~which~~
 231 are not compatible with a competitor's system and are necessary
 232 to dispense the distributor's brands. A distributor of malt
 233 beverages ~~beer~~ may furnish to a vendor at no charge replacement
 234 parts of nominal intrinsic value, including, but not limited to,

235 washers, gaskets, tail pieces, hoses, hose connections, clamps,
 236 plungers, and tap markers.

237 Section 5. Subsection (1) of section 561.5101, Florida
 238 Statutes, is amended to read:

239 561.5101 Come-to-rest requirement; exceptions; penalties.-

240 (1) For purposes of inspection and tax-revenue control,
 241 all malt beverages, except those manufactured and sold by the
 242 same licensee, pursuant to s. 561.221(2) or (3) ~~561.221(3)~~, must
 243 come to rest at the licensed premises of an alcoholic beverage
 244 wholesaler in this state before being sold to a vendor by the
 245 wholesaler. The prohibition contained in this subsection does
 246 not apply to the shipment of malt beverages commonly known as
 247 private labels. The prohibition contained in this subsection
 248 shall not prevent a manufacturer from shipping malt beverages
 249 for storage at a bonded warehouse facility, provided that such
 250 malt beverages are distributed as provided in this subsection or
 251 to an out-of-state entity.

252 Section 6. Subsections (3), (4), (5), and (6) of section
 253 561.57, Florida Statutes, are amended to read:

254 561.57 Deliveries by licensees.-

255 (3) A licensed vendor may transport alcoholic beverage
 256 purchases from a distributor's place of business to the vendor's
 257 licensed premises or off-premises storage, if the vehicle used
 258 to transport the alcoholic beverages is owned or leased by the
 259 vendor or any person who has been disclosed on a license
 260 application filed by the vendor and approved by the division ~~and~~

261 ~~a valid vehicle permit has been issued for such vehicle. A~~
262 ~~vehicle owned or leased by a person disclosed on a license~~
263 ~~application filed by the vendor and approved by the division~~
264 ~~under this subsection must be operated by such person when~~
265 ~~transporting alcoholic beverage purchases from a distributor's~~
266 ~~place of business to the vendor's licensed premises or off-~~
267 ~~premises storage.~~

268 ~~(4) A vehicle permit may be obtained by a licensed vendor~~
269 ~~or any person authorized in subsection (3) upon application and~~
270 ~~payment of a fee of \$5 per vehicle to the division. The~~
271 ~~signature of the person authorized in subsection (3) must be~~
272 ~~included on the vehicle permit application. Such permit remains~~
273 ~~valid and does not expire unless the vendor or any person~~
274 ~~authorized in subsection (3) disposes of his or her vehicle, or~~
275 ~~the vendor's alcoholic beverage license is transferred,~~
276 ~~canceled, not renewed, or is revoked by the division, whichever~~
277 ~~occurs first. The division shall cancel a vehicle permit issued~~
278 ~~to a vendor upon request from the vendor. The division shall~~
279 ~~cancel a vehicle permit issued to any person authorized in~~
280 ~~subsection (3) upon request from that person or the vendor. By~~
281 ~~acceptance of a vehicle permit, the vendor or any person~~
282 ~~authorized in subsection (3) agrees that such vehicle is always~~
283 ~~subject to inspection and search without a search warrant, for~~
284 ~~the purpose of ascertaining that all provisions of the alcoholic~~
285 ~~beverage laws are complied with, by authorized employees of the~~
286 ~~division and also by sheriffs, deputy sheriffs, and police~~

287 ~~officers during business hours or other times that the vehicle~~
288 ~~is being used to transport or deliver alcoholic beverages. A~~
289 ~~vehicle permit issued under this subsection and invoices or~~
290 ~~sales tickets for alcoholic beverages purchased and transported~~
291 ~~must be carried in the vehicle used by the vendor or any person~~
292 ~~authorized in subsection (3) when the vendor's alcoholic~~
293 ~~beverages are being transported or delivered.~~

294 (4)~~(5)~~ Nothing contained in this section shall prohibit
295 deliveries by the licensee from his or her permitted storage
296 area or deliveries by a distributor from the manufacturer to his
297 or her licensed premises; nor shall a pool buying agent be
298 prohibited from transporting pool purchases to the licensed
299 premises of his or her members with the licensee's owned or
300 leased vehicles, ~~and in such cases, no vehicle permit shall be~~
301 ~~required in the transporting of such alcoholic beverages.~~ In
302 addition, a licensed salesperson of wine and spirits is
303 authorized to deliver alcoholic beverages in his or her vehicle
304 on behalf of the distributor ~~without having to obtain a vehicle~~
305 ~~permit.~~

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

308 Section 7. Subsections (2), (3), (4), and (5) of section
309 562.07, Florida Statutes, are amended to read:

310 562.07 Illegal transportation of beverages.—It is unlawful
311 for alcoholic beverages to be transported in quantities of more
312 than 12 bottles except as follows:

313 (2) In the owned or leased vehicles of licensed vendors or
 314 any persons authorized in s. 561.57(3) transporting alcoholic
 315 beverage purchases from the distributor's place of business to
 316 the vendor's licensed place of business or off-premises storage
 317 ~~and to which said vehicles are carrying a permit and invoices or~~
 318 ~~sales tickets~~ for alcoholic beverages purchased and transported
 319 as provided for in the alcoholic beverage law;

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

322 (4) By licensed manufacturers, distributors, or vendors
 323 transporting ~~delivering~~ alcoholic beverages pursuant to s.
 324 561.57 ~~away from their place of business in vehicles which are~~
 325 ~~owned or leased by such licensees;~~ and

326 (5) By a vendor, distributor, pool buying agent, or
 327 salesperson of wine and spirits as outlined in s. 561.57(4)
 328 561.57(5).

329 Section 8. Subsection (6) is added to section 562.34,
 330 Florida Statutes, to read:

331 562.34 Containers; seizure and forfeiture.-

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

336 Section 9. Subsections (1) and (6) of section 563.06,
 337 Florida Statutes, are amended, subsection (7) is renumbered as
 338 subsection (8), and a new subsection (7) is added to that

339 section, to read:

340 563.06 Malt beverages; imprint on individual container;
 341 size of containers; exemptions.-

342 (1) ~~On and after October 1, 1959,~~ All taxable malt
 343 beverages packaged in individual containers possessed by any
 344 person in the state for the purpose of sale or resale in the
 345 state, except operators of railroads, sleeping cars, steamships,
 346 buses, and airplanes engaged in interstate commerce and licensed
 347 under this section, shall have imprinted thereon in clearly
 348 legible fashion by any permanent method the word "Florida" or
 349 "FL" and no other state name or abbreviation of any state name
 350 in not less than 8-point type. The word "Florida" or "FL" shall
 351 appear first or last, if imprinted in conjunction with any
 352 manufacturer's code. A facsimile of the imprinting and its
 353 location as it will appear on the individual container shall be
 354 submitted to the division for approval.

355 (6) With the exception of growlers as described in
 356 subsection (7), all malt beverages packaged in individual
 357 containers sold or offered for sale by vendors at retail in this
 358 state shall be in individual containers containing no more than
 359 32 ounces of such malt beverages; ~~provided, however, that~~
 360 nothing contained in this section shall affect malt beverages
 361 packaged in bulk, ~~or~~ in kegs, or in barrels or in any individual
 362 container containing 1 gallon or more of such malt beverage
 363 regardless of individual container type.

364 (7) Notwithstanding any other provision of the Beverage

365 Law, a malt beverage may be packaged in a growler, which is an
366 individual container that holds 32, 64, or 128 ounces of such
367 malt beverage, if it is filled at the point of sale.

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

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

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

374 3. A vendor holding a license under s. 563.02(1)(b)-(f),
375 s. 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), unless such license
376 restricts the sale of malt beverages to sale for consumption
377 only on the premises of such vendor.

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

383 (c) A licensee authorized to fill or refill growlers may
384 not use growlers for the purposes of distribution or sale
385 outside of the licensed manufacturing premises or licensed
386 vendor premises.

387 (d) A person, firm, or corporation, including its agents,
388 officers, or employees, that violates subsection (7) commits a
389 misdemeanor of the first degree, punishable as provided in s.
390 775.082 or s. 775.083, and the license held by the person, firm,

391 or corporation, if any, is subject to revocation or suspension
392 by the division. A person, firm, or corporation, including its
393 agents, officers, or employees, that violates paragraph (b) is
394 subject to a fine by the division of up to \$250.

395 Section 10. Section 563.09, Florida Statutes, is created
396 to read:

397 563.09 Malt beverage tastings by distributors and
398 manufacturers.—

399 (1) A manufacturer, distributor, or importer of malt
400 beverages, or any contracted third-party agent thereof, may
401 conduct sampling activities that include the tasting of malt
402 beverage products on:

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

405 (b) The licensed premises of a vendor authorized to sell
406 alcoholic beverages only in sealed containers for consumption
407 off premises if:

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

411 2. The licensed premises is a package store licensed under
412 s. 565.02(1)(a).

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

416 (3) For a malt beverage tasting conducted under this

417 section on the licensed premises of a vendor authorized to sell
418 alcoholic beverages for consumption on premises, each serving of
419 a malt beverage to be tasted must be provided to the consumer by
420 the drink in a tasting cup, glass, or other open container and
421 may not be provided by the package in an unopened can or bottle
422 or in any other sealed container.

423 (4) For a malt beverage tasting conducted under this
424 section on the licensed premises of a vendor authorized to sell
425 alcoholic beverages only in sealed containers for consumption
426 off premises, the tasting must be conducted in the interior of
427 the building constituting the vendor's licensed premises and
428 each serving of a malt beverage to be tasted must be provided to
429 the consumer in a tasting cup having a capacity of 3.5 ounces or
430 less.

431 (5) A manufacturer, distributor, or importer, or any
432 contracted third-party agent thereof, may not pay a vendor, and
433 a vendor may not accept, a fee or compensation of any kind,
434 including the provision of a malt beverage at no cost or at a
435 reduced cost, to authorize the conduct of a malt beverage
436 tasting under this section.

437 (6) (a) A manufacturer, distributor, or importer, or any
438 contracted third-party agent thereof, conducting a malt beverage
439 tasting under this section must provide all of the beverages to
440 be tasted, must have paid all excise taxes on those beverages
441 which are required of the manufacturer or distributor, and must
442 return to the manufacturer's or distributor's inventory all of

443 the malt beverages provided for the tasting that remain
444 unconsumed after the tasting. More than one tasting may be held
445 on the licensed premises each day, but only one manufacturer,
446 distributor, or importer, or contracted third-party agent
447 thereof, may conduct a tasting on the premises at any one time.

448 (b) This subsection does not preclude a manufacturer,
449 distributor, or importer, or any contracted third-party agent
450 thereof, from buying the malt beverages that it provides for the
451 tasting from a vendor at no more than the retail price, but all
452 of the malt beverages so purchased and provided for the tasting
453 which remain unconsumed after the tasting must be removed from
454 the premises of the tasting and properly disposed of.

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

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

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

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

466 Section 11. Section 563.10, Florida Statutes, is created
467 to read:

468 563.10 Craft brewery signage.—Upon the request of a craft

469 brewery licensed in this state, the Department of Transportation
 470 shall install directional signs for the craft brewery on the
 471 rights-of-way of interstate highways and primary and secondary
 472 roads in accordance with Florida's Highway Guide Sign Program as
 473 provided in chapter 14-51, Florida Administrative Code. A craft
 474 brewery licensed in this state that requests placement of a
 475 directional sign through the department's permit process shall
 476 pay all associated costs.

477 Section 12. Paragraphs (a) and (b) of subsection (1) of
 478 section 565.03, Florida Statutes, are redesignated as paragraphs
 479 (b) and (c), respectively, a new paragraph (a) is added to that
 480 subsection, paragraph (c) of subsection (2) is amended, and
 481 subsection (7) is added to that section, to read:

482 565.03 License fees; manufacturers, distributors, brokers,
 483 sales agents, and importers of alcoholic beverages; vendor
 484 licenses and fees; craft distilleries.—

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

486 (a) "Branded product" means any distilled spirits product
 487 manufactured on site which requires a federal certificate and
 488 label approval pursuant to the Federal Alcohol Administration
 489 Act or federal regulations.

490 (2)

491 (c) A craft distillery licensed under this section may
 492 sell to consumers, at its souvenir gift shop, branded products
 493 ~~spirits~~ distilled on its premises in this state in factory-
 494 sealed containers that are filled at the distillery for off-

495 premises consumption. Such sales are authorized only on private
 496 property contiguous to the licensed distillery premises in this
 497 state and included on the sketch or diagram defining the
 498 licensed premises submitted with the distillery's license
 499 application. All sketch or diagram revisions by the distillery
 500 shall require the division's approval verifying that the
 501 souvenir gift shop location operated by the licensed distillery
 502 is owned or leased by the distillery and on property contiguous
 503 to the distillery's production building in this state.

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

- 508 a. Two individual containers of each branded product;
- 509 b. Three individual containers of a single branded product
 510 and one individual container of a second branded product; or
- 511 c. Four individual containers of a single branded product.

512 2. Each container must:

- 513 a. Be sold in a face-to-face transaction with the consumer
 514 at the distillery's licensed premises in this state.
- 515 b. Comply with the container limits in s. 565.10.
- 516 c. Be purchased for the consumer's personal use and not
 517 for resale ~~two or fewer individual containers, that comply with~~
 518 ~~the container limits in s. 565.10, per calendar year for the~~
 519 ~~consumer's personal use and not for resale and who are present~~
 520 ~~at the distillery's licensed premises in this state.~~

521 ~~3.1.~~ A craft distillery must report to the division within
522 5 days after it reaches the production limitations provided in
523 paragraph (1) (b) ~~(1) (a)~~. Any retail sales to consumers at the
524 craft distillery's licensed premises are prohibited beginning
525 the day after it reaches the production limitation.

526 ~~4.2.~~ A craft distillery may not ~~only~~ ship or, ~~arrange to~~
527 ship, ~~or deliver~~ any of its distilled spirits to consumers and
528 may sell and deliver its distilled spirits only to consumers
529 within the state in a face-to-face transaction at the distillery
530 property. However, a craft distiller licensed under this section
531 may ship, arrange to ship, or deliver such spirits to
532 manufacturers of distilled spirits, wholesale distributors of
533 distilled spirits, state or federal bonded warehouses, and
534 exporters.

535 ~~5.3.~~ Except as provided in subparagraph 6. 4., it is
536 unlawful to transfer a distillery license for a distillery that
537 produces 75,000 or fewer gallons per calendar year of distilled
538 spirits on its premises or any ownership interest in such
539 license to an individual or entity that has a direct or indirect
540 ownership interest in any distillery licensed in this state;
541 another state, territory, or country; or by the United States
542 government to manufacture, blend, or rectify distilled spirits
543 for beverage purposes.

544 ~~6.4.~~ A craft distillery shall not have its ownership
545 affiliated with another distillery, unless such distillery
546 produces 75,000 or fewer gallons per calendar year of distilled

547 spirits on each of its premises in this state or in another
548 state, territory, or country.

549 (7) Upon the request of a craft distillery licensed in
550 this state, the Department of Transportation shall install
551 directional signs for the craft distillery on the rights-of-way
552 of interstate highways and primary and secondary roads in
553 accordance with Florida's Highway Guide Sign Program as provided
554 in chapter 14-51, Florida Administrative Code. A craft
555 distillery licensed in this state that requests placement of a
556 directional sign through the department's permit process shall
557 pay all associated costs.

558 Section 13. This act shall take effect July 1, 2015.