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1
2 An act relating to craft distilleries; amending s.
3 565.03, F.S.; defining the term "branded product";
4 revising the current limitation on the number of
5 containers that may be sold to consumers by craft
6 distilleries; applying such limitation to individual
7 containers for each branded product; prohibiting a
8 craft distillery from shipping or arranging to ship
9 any of its distilled spirits to consumers; providing
10 an exception; requiring the Department of
11 Transportation to install directional signs at
12 specified locations in accordance with Florida's
13 Highway Guide Sign Program upon the request of a craft
14 distillery licensed in this state; requiring the craft
15 distillery licensed in this state to pay specified
16 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, subsection (6) of that section is redesignated as
24 subsection (7), a new subsection (6) is added to that section,
25 and paragraph (c) of subsection (2) of that section is amended,
26 to read:

27 565.03 License fees; manufacturers, distributors, brokers,
28 sales agents, and importers of alcoholic beverages; vendor
29 licenses and fees; craft distilleries.—

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

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

35 (2)

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

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

53 a. Two individual containers of each branded product;

54 b. Three individual containers of a single branded product
55 and up to one individual container of a second branded product;
56 or

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

58 2. Each container sold in face-to-face transactions with

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59 consumers must ~~two or fewer individual containers,~~ that comply
60 with the container limits in s. 565.10, per calendar year for
61 the consumer's personal use and not for resale and who are
62 present at the distillery's licensed premises in this state.

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

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

76 ~~5.3.~~ Except as provided in subparagraph ~~6.4.~~, it is
77 unlawful to transfer a distillery license for a distillery that
78 produces 75,000 or fewer gallons per calendar year of distilled
79 spirits on its premises or any ownership interest in such
80 license to an individual or entity that has a direct or indirect
81 ownership interest in any distillery licensed in this state;
82 another state, territory, or country; or by the United States
83 government to manufacture, blend, or rectify distilled spirits
84 for beverage purposes.

85 ~~6.4.~~ A craft distillery shall not have its ownership
86 affiliated with another distillery, unless such distillery
87 produces 75,000 or fewer gallons per calendar year of distilled

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88 spirits on each of its premises in this state or in another
89 state, territory, or country.

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

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