

By Senator Hutson

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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:

9

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 sell
17 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
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~~

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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 ~~c. 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. 565.10~~7~~
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 any
49 of its distilled spirits to consumers and may sell and deliver
50 only to consumers within the state in a face-to-face transaction
51 at the distillery property. However, a craft distiller licensed
52 under this section may ship, arrange to ship, or deliver such
53 spirits to manufacturers of distilled spirits, wholesale
54 distributors of distilled spirits, state or federal bonded
55 warehouses, and exporters.

56 4.5. Except as provided in subparagraph 5. 6., it is
57 unlawful to transfer a distillery license for a distillery that
58 produces 75,000 or fewer gallons per calendar year of distilled

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59 spirits on its premises or any ownership interest in such
60 license to an individual or entity that has a direct or indirect
61 ownership interest in any distillery licensed in this state;
62 another state, territory, or country; or by the United States
63 government to manufacture, blend, or rectify distilled spirits
64 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.