

ENROLLED

CS/HB 141

2017 Legislature

1  
2 An act relating to craft distilleries; amending s.  
3 565.03, F.S.; providing limitations on retail sales by  
4 craft distilleries to consumers; providing an  
5 effective date.

6  
7 Be It Enacted by the Legislature of the State of Florida:  
8

9 Section 1. Paragraph (c) of subsection (2) of section  
10 565.03, Florida Statutes, is amended to read:

11 565.03 License fees; manufacturers, distributors, brokers,  
12 sales agents, and importers of alcoholic beverages; vendor  
13 licenses and fees; craft distilleries.-

14 (2)

15 (c) A craft distillery licensed under this section may  
16 sell to consumers, at its souvenir gift shop, branded products  
17 distilled on its premises in this state in factory-sealed  
18 containers that are filled at the distillery for off-premises  
19 consumption. Such sales are authorized only on private property  
20 contiguous to the licensed distillery premises in this state and  
21 included on the sketch or diagram defining the licensed premises  
22 submitted with the distillery's license application. All sketch  
23 or diagram revisions by the distillery shall require the  
24 division's approval verifying that the souvenir gift shop  
25 location operated by the licensed distillery is owned or leased

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26 | by the distillery and on property contiguous to the distillery's  
27 | production building in this state.

28 | 1. A craft distillery may not sell any factory-sealed  
29 | individual containers of spirits except in face-to-face sales  
30 | transactions with consumers who are making a purchase of no more  
31 | than six individual containers of each branded product.÷

32 | ~~a. Two individual containers of each branded product;~~

33 | ~~b. Three individual containers of a single branded product~~  
34 | ~~and up to one individual container of a second branded product;~~

35 | ~~or~~

36 | ~~e. Four individual containers of a single branded product.~~

37 | 2. Each container sold in face-to-face transactions with  
38 | consumers must comply with the container limits in s. 565.10,  
39 | per calendar year for the consumer's personal use and not for  
40 | resale and who are present at the distillery's licensed premises  
41 | in this state.

42 | 3. A craft distillery must report to the division within 5  
43 | days after it reaches the production limitations provided in  
44 | paragraph (1)(b). Any retail sales to consumers at the craft  
45 | distillery's licensed premises are prohibited beginning the day  
46 | after it reaches the production limitation.

47 | 4. A craft distillery may not ship or arrange to ship any  
48 | of its distilled spirits to consumers and may sell and deliver  
49 | only to consumers within the state in a face-to-face transaction  
50 | at the distillery property. However, a craft distiller licensed

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51 | under this section may ship, arrange to ship, or deliver such  
52 | spirits to manufacturers of distilled spirits, wholesale  
53 | distributors of distilled spirits, state or federal bonded  
54 | warehouses, and exporters.

55 |         5. Except as provided in subparagraph 6., it is unlawful  
56 | to transfer a distillery license for a distillery that produces  
57 | 75,000 or fewer gallons per calendar year of distilled spirits  
58 | on its premises or any ownership interest in such license to an  
59 | individual or entity that has a direct or indirect ownership  
60 | interest in any distillery licensed in this state; another  
61 | state, territory, or country; or by the United States government  
62 | to manufacture, blend, or rectify distilled spirits for beverage  
63 | purposes.

64 |         6. A craft distillery shall not have its ownership  
65 | affiliated with another distillery, unless such distillery  
66 | produces 75,000 or fewer gallons per calendar year of distilled  
67 | spirits on each of its premises in this state or in another  
68 | state, territory, or country.

69 |         Section 2. This act shall take effect upon becoming a law.  
70 |