



496414

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2017	.	
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	.	

The Committee on Regulated Industries (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 48 - 143

and insert:

manufacturer of wine or a designated Florida Craft Distillery
~~who is~~ licensed and engaged in the manufacture of wine or
distilled spirits in this state, even if such manufacturer is
also licensed as a distributor; provided that ~~ne~~ such vendor's
license is not ~~shall be~~ owned, managed, operated, or controlled
by any licensed manufacturer of wine or any craft distillery



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11 unless the licensed premises of the vendor are situated on
12 property contiguous to the manufacturing premises of the
13 licensed manufacturer of wine or distilled spirits or in its
14 sales room pursuant to s. 565.03.

15 (b) The Division of Alcoholic Beverages and Tobacco shall
16 issue permits to a certified Florida Farm Winery or a designated
17 Florida Craft Distillery to conduct tasting and sales of wine or
18 distilled spirits produced by certified Florida Farm Wineries or
19 designated Florida Craft Distilleries at Florida fairs, trade
20 shows, expositions, and festivals. The certified Florida Farm
21 Winery or designated Florida Craft Distillery shall pay all
22 entry fees and shall have a winery or distillery representative
23 present during the event. The permit is limited to the length of
24 the event.

25 (c) A certified Florida Farm Winery or designated Florida
26 Craft Distillery may transfer wine or distilled spirits produced
27 at such winery or distillery, respectively, out of its federal
28 bonded space or nonbonded space at its licensed premises or
29 storage areas to its vendor's licensed premises or approved
30 sales room. The division shall approve the storage areas,
31 provided that each is included in the winery's or distillery's
32 current state tax bond. All such transfers of wine or distilled
33 spirits shall be reported to the division pursuant to s. 561.55
34 and included in the winery's or distillery's excise tax payment
35 to the state each month.

36 Section 2. Paragraph (b) of subsection (1) and paragraph
37 (c) of subsection (2) of section 565.03, Florida Statutes, are
38 amended to read:

39 565.03 License fees; manufacturers, distributors, brokers,



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40 sales agents, and importers of alcoholic beverages; vendor
41 licenses and fees; craft distilleries.—

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

43 (b) "Craft distillery" means a licensed distillery that
44 produces 250,000 ~~75,000~~ or fewer gallons per calendar year of
45 distilled spirits on its premises and is designated as a craft
46 distillery by ~~has notified~~ the division upon notification in
47 writing of its decision to qualify as a craft distillery.

48 (2)(c) A craft distillery licensed under this section may
49 sell to consumers, at its souvenir gift shop, branded products
50 distilled and bottled on its premises in this state in factory-
51 sealed containers approved for sale ~~that are filled at the~~
52 ~~distillery~~ for off-premises consumption. Such sales are
53 authorized only on ~~private~~ property owned or leased by the
54 distillery which is contiguous to the licensed distillery
55 premises and at one other approved sales room located in the
56 same county as the distillery's production building which shall
57 be an extension of the craft distillery's licensed premises ~~in~~
58 ~~this state~~ and included on the sketch or diagram defining the
59 licensed premises submitted with the distillery's license
60 application. All sketch or diagram revisions by the distillery
61 shall require local zoning approval and the division's approval
62 verifying that the souvenir gift shop location and all areas
63 used and operated by the licensed distillery are ~~is~~ owned or
64 leased by the distillery and on property contiguous to the
65 distillery's production building in this state or within the
66 extended licensed premises.

67 1. A craft distillery licensed under this section may not
68 sell any factory-sealed individual containers of spirits except



69 in face-to-face sales transactions at the craft distillery's
70 licensed premises with consumers who are making a purchase ~~of no~~
71 ~~more than:~~

72 ~~a. Two individual containers of each branded product;~~

73 ~~b. Three individual containers of a single branded product~~
74 ~~and up to one individual container of a second branded product;~~

75 ~~or~~

76 ~~e. Four individual containers of a single branded product.~~

77 2. Each container sold in face-to-face transactions with
78 consumers must comply with the container limits in s. 565.10,
79 ~~per calendar year for the consumer's personal use and not for~~
80 ~~resale and who are present at the distillery's licensed premises~~
81 ~~in this state.~~

82 3. A craft distillery licensed under this section must
83 report to the division within 5 days after it reaches the
84 production limitations provided in paragraph (1)(b). Any retail
85 sales to consumers at the craft distillery's licensed premises
86 are prohibited beginning the day after it reaches the production
87 limitation unless it has been issued a vendor's license at each
88 craft distillery and additional sales room authorized in s.
89 561.221. Notwithstanding any of the provisions of this section
90 or s. 561.221, a craft distillery which holds a vendor's license
91 may retain and renew such license, if such craft distillery
92 exceeds the production limitation in paragraph (1)(b).

93
94 ===== T I T L E A M E N D M E N T =====

95 And the title is amended as follows:

96 Delete lines 6 - 23

97 and insert:



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98 by a designated Florida Craft Distillery is not
99 prohibited under specified laws; requiring the
100 Division of Alcoholic Beverages and Tobacco to issue
101 permits to a designated Florida Craft Distilleries to
102 conduct certain tastings and sales; requiring such
103 distilleries to pay entry fees and have a
104 representative present during certain events;
105 authorizing the transfer of wine and distilled spirits
106 to vendors by specified wineries and distilleries
107 under certain circumstances; requiring the division to
108 approve certain storage areas; requiring wineries and
109 distilleries to report all such transfers to the
110 division and to include them in monthly excise tax
111 payments; amending s. 565.03, F.S.; redefining the
112 term "craft distillery"; specifying authorized
113 products for sale by craft distilleries; providing
114 limitations on retail sales by craft distilleries to
115 consumers; permitting craft distilleries to retain and
116 renew a vendor's license under specified
117 circumstances;