

By the Committees on Appropriations; Commerce and Tourism; and Regulated Industries; and Senators Steube, Brandes, Hutson, and Young

576-04162-17

2017166c3

1 A bill to be entitled
2 An act relating to craft distilleries; amending s.
3 565.03, F.S.; revising the limitations on retail sales
4 by 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 sell
16 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
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

576-04162-17

2017166c3

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
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 to
56 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

576-04162-17

2017166c3

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.