

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Jenne offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 169-225 and insert:  
5 writing of its decision to qualify as a craft distillery. For  
6 purposes of calculating a distillery's total production of  
7 distilled spirits under this section, the division shall include  
8 the distillery's production of distilled spirits on each of its  
9 premises.

10 (2)

11 (c) A craft distillery licensed under this section may  
12 sell to consumers, at its souvenir gift shop, up to 75,000

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13 gallons per calendar year of branded products ~~distilled on its~~  
14 ~~premises in this state~~ in factory-sealed containers that are  
15 filled at the distillery for off-premises consumption. Such  
16 sales are authorized only on private property contiguous to the  
17 licensed distillery premises in this state and included on the  
18 sketch or diagram defining the licensed premises submitted with  
19 the distillery's license application. All sketch or diagram  
20 revisions by the distillery shall require the division's  
21 approval verifying that the souvenir gift shop location operated  
22 by the licensed distillery is owned or leased by the distillery  
23 and on property contiguous to the distillery's production  
24 building in this state.

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

29 2. Each container sold in face-to-face transactions with  
30 consumers must comply with the container limits in s. 565.10,  
31 per calendar year for the consumer's personal use and not for  
32 resale and who are present at the distillery's licensed premises  
33 in this state.

34 3. A craft distillery must report to the division within 5  
35 days after it reaches the production limitations provided in  
36 paragraph (1)(b). Any retail sales to consumers at the craft

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37 distillery's licensed premises are prohibited beginning the day  
38 after it reaches the production limitation.

39 4. A craft distillery ~~may not ship or arrange to ship any~~  
40 ~~of its distilled spirits to consumers and~~ may sell its distilled  
41 spirits and deliver only to consumers ~~within the state~~ in a  
42 face-to-face transaction at the distillery property. However, a  
43 craft distiller licensed under this section may ship, arrange to  
44 ship, or deliver such spirits to manufacturers of distilled  
45 spirits, wholesale distributors of distilled spirits, state or  
46 federal bonded warehouses, and exporters. A craft distillery may  
47 ship, arrange to ship, or deliver its distilled spirits to a  
48 consumer who has purchased such spirits in a face-to-face  
49 transaction at the distillery property, only if the delivery or  
50 shipment is made through a common carrier authorized to deliver  
51 or ship distilled spirits in the jurisdiction to which the  
52 products will be delivered or shipped.

53 5. ~~Except as provided in subparagraph 6.,~~ It is unlawful  
54 to transfer a distillery license for a distillery that produces  
55 250,000 ~~75,000~~ or fewer gallons per calendar year of distilled  
56 spirits on its premises or any ownership interest in such  
57 license to an individual or entity that has a direct or indirect  
58 ownership interest in any distillery licensed in this state;  
59 another state, territory, or country; or by the United States  
60 government to manufacture, blend, or rectify distilled spirits  
61 for beverage purposes.

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62           6. A craft distillery may be owned or controlled, directly  
63 or indirectly, any person or entity that owns or controls,  
64 directly or indirectly, a distillery that produces more than  
65 250,000 gallons per calendar year of distilled spirits ~~shall~~  
66 ~~not have its ownership affiliated with another distillery,~~  
67 ~~unless such distillery produces 75,000 or fewer gallons per~~  
68 ~~calendar year of distilled spirits on each of its premises in~~  
69 this state or in

70

71 -----

72   **T I T L E   A M E N D M E N T**

73           Remove lines 31-35 and insert:  
74           certain other distilleries; revising limitations on craft  
75           distillery shipments of items purchased in face-to-face  
76           transactions;

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