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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/10/2020	.	
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The Committee on Innovation, Industry, and Technology (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 1035 and 1036

insert:

Section 15. Paragraph (c) of subsection (2) of section 565.03, Florida Statutes, is amended to read:

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

(2)



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11 (c) A craft distillery licensed under this section which is
12 not licensed as a vendor under s. 561.221 may sell to consumers
13 under its craft distillery license, at its souvenir gift shop,
14 up to 75,000 gallons per calendar year of branded products
15 ~~distilled on its premises in this state~~ in factory-sealed
16 containers that are filled at the distillery for off-premises
17 consumption by consumers. Such sales are authorized only on
18 ~~private~~ property owned or leased by the craft distillery which
19 is contiguous to the craft distillery's licensed distillery
20 premises approved by the division in this state and ~~included on~~
21 ~~the sketch or diagram defining the licensed premises submitted~~
22 ~~with the distillery's license application. All sketch or diagram~~
23 ~~revisions by the distillery shall require the division's~~
24 ~~approval verifying that the souvenir gift shop location operated~~
25 ~~by the licensed distillery is owned or leased by the distillery~~
26 ~~and on property contiguous to the distillery's production~~
27 ~~building in this state.~~

28 1. A craft distillery may not sell under its craft
29 distillery license any factory-sealed individual containers of
30 spirits to consumers in this state except in face-to-face sales
31 transactions with such consumers at the craft distillery's
32 licensed premises or on property owned or leased by the craft
33 distillery which is contiguous to the craft distillery's
34 licensed premises. Such containers must be in compliance with
35 the container limits in s. 565.10 ~~who are making a purchase of~~
36 ~~no more than six individual containers of each 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~~



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40 ~~resale and who are present at the distillery's licensed premises~~
41 ~~in this state.~~

42 ~~2.3.~~ A craft distillery must report to the division within
43 5 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 ~~3.a.4.~~ A craft distillery may ~~not~~ ship or arrange to ship
48 any of its distilled spirits from a single retail location
49 contiguous to the craft distillery's licensed premises to
50 consumers in this state and ~~may sell and deliver only to~~
51 ~~consumers within the state in a face-to-face transaction at the~~
52 ~~distillery property. However,~~

53 b. A craft distiller licensed under this section may ship,
54 arrange to ship, or deliver such spirits to manufacturers of
55 distilled spirits, wholesale distributors of distilled spirits,
56 state or federal bonded warehouses, and exporters.

57 ~~4.5.~~ Except as provided in subparagraph 6., it is unlawful
58 to transfer a distillery license for a distillery that produces
59 75,000 or fewer gallons per calendar year of distilled spirits
60 on its premises or any ownership interest in such license to an
61 individual or entity that has a direct or indirect ownership
62 interest in any distillery licensed in this state; another
63 state, territory, or country; or by the United States government
64 to manufacture, blend, or rectify distilled spirits for beverage
65 purposes.

66 ~~5.6.~~ A craft distillery shall not have its ownership
67 affiliated with another distillery, unless such distillery
68 produces 75,000 or fewer gallons per calendar year of distilled



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69 spirits on each of its premises in this state or in another
70 state, territory, or country.

71 Section 16. Subsection (4) is added to section 561.221,
72 Florida Statutes, to read:

73 561.221 Licensing of manufacturers and distributors as
74 vendors and of vendors as manufacturers; conditions and
75 limitations.-

76 (4) (a) Notwithstanding s. 561.22, s. 561.42, or any other
77 provision of the Beverage Law, the division may issue vendor's
78 licenses for the sale of alcoholic beverages on a distillery's
79 licensed premises to a distillery licensed under s. 565.03, even
80 if such distillery is also licensed as a distributor.

81 (b) If the vendor's license is for the sale of alcoholic
82 beverages on a distillery's licensed premises, the licensed
83 vendor premises must be included on the sketch or diagram
84 defining the licensed premises submitted with the distillery's
85 license application. All sketch or diagram revisions by the
86 distillery must be approved by the division and must verify that
87 the vendor premises operated by the licensed distillery is owned
88 or leased by the distillery and is located on the licensed
89 distillery premises.

90
91 ===== T I T L E A M E N D M E N T =====

92 And the title is amended as follows:

93 Delete line 49

94 and insert:

95 condominium ombudsman; amending s. 565.03, F.S.;

96 revising the requirements for the sale of branded

97 products by a licensed craft distillery to consumers;



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98 deleting a provision that prohibits a craft distillery
99 from selling more than six individual containers of a
100 branded product to a consumer; revising requirements
101 relating to the shipping of distilled spirits to
102 consumers by a craft distillery; amending s. 561.221,
103 F.S.; amending s. 561.221, F.S.; authorizing the
104 division to issue vendor's licenses to certain
105 distilleries for the sale of alcoholic beverages on
106 the distillery's licensed premises; requiring that the
107 licensed vendor premises be included on certain
108 sketches and diagrams under certain circumstances;
109 requiring that all revisions to sketches or diagrams
110 be approved by the division; amending ss. 455.219,
111 548.002,