

1 A bill to be entitled
2 An act relating to craft distilleries; amending s.
3 565.02, F.S.; defining the term "destination
4 entertainment venue"; authorizing craft distilleries
5 to be licensed as specified vendors under certain
6 circumstances; providing requirements for such
7 licenses; providing requirements for craft
8 distilleries for such licenses; prohibiting a licensee
9 from taking certain actions; requiring certain
10 alcoholic beverages to be obtained through a licensed
11 distributor; amending s. 565.03, F.S.; redefining the
12 terms "branded product" and "craft distillery";
13 prohibiting a distillery from operating as a craft
14 distillery until certain requirements are met;
15 authorizing persons to have common ownership in craft
16 distilleries under certain circumstances; defining the
17 term "common ownership"; requiring a minimum
18 percentage of a craft distillery's total finished
19 branded products to be distilled in this state and
20 contain one or more Florida agricultural products
21 after a specified date; revising the requirements and
22 prohibitions on the sale of branded products to
23 consumers by a licensed craft distillery; revising the
24 circumstances for which a craft distillery must report
25 certain information about the production of distilled

26 spirits to the Division of Alcoholic Beverages and
27 Tobacco of the Department of Business and Professional
28 Regulation; revising prohibitions on the shipment of
29 certain products by a craft distillery; revising
30 prohibitions on the transfer of a craft distillery
31 license or ownership interest in such license;
32 revising prohibitions relating to affiliated ownership
33 of craft distilleries; authorizing a craft distillery
34 to transfer specified distilled spirits from certain
35 locations to its souvenir gift shop and tasting room;
36 making technical changes; amending s. 565.17, F.S.;
37 authorizing craft distilleries to conduct spirituous
38 beverage tastings under certain circumstances;
39 requiring the division to issue permits to craft
40 distilleries to conduct tastings and sales at certain
41 locations; specifying requirements for distilleries
42 for such permits; providing an effective date.

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44 Be It Enacted by the Legislature of the State of Florida:

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46 Section 1. Present subsection (12) of section 565.02,
47 Florida Statutes, is redesignated as subsection (13), and a new
48 subsection (12) is added to that section, to read:

49 565.02 License fees; vendors; clubs; caterers; and
50 others.—

51 (12) (a) As used in this subsection, the term "destination
52 entertainment venue" means a venue that:

53 1. Is located in a designated community redevelopment area
54 authorized under an adopted community redevelopment plan to
55 support urban redevelopment and economic development;

56 2. Is owned by any person licensed as a craft distillery
57 located within the destination entertainment venue;

58 3. Is adjacent to and served by multimodal transportation
59 options, including, at a minimum, bicycle and pedestrian trails
60 included on an adopted city or county trails map and mass
61 transit routes established by a city, county, or regional
62 transportation authority; and

63 4. Is located within a contiguous area of at least 15
64 acres, including associated parking and stormwater requirements
65 as required by local law, regulation, or ordinance, and that
66 contains:

67 a. At least one indoor event venue with a minimum capacity
68 of 150 people which is fully serviced by a connected onsite
69 kitchen;

70 b. At least one outdoor event venue with a minimum
71 capacity of 1,000 people which has regularly occurring live
72 entertainment on a stage that is at least 12 feet deep and 16
73 feet wide; and

74 c. One or more licensed craft distilleries sharing
75 identical ownership.

76 (b) Notwithstanding any other provisions of the Beverage
77 Law, upon the payment of the appropriate fees, a craft
78 distillery licensed in this state may be licensed as a vendor
79 only for consumption on the premises of alcoholic beverages
80 manufactured by other manufacturers and acquired through a
81 distributor. The issuance of a license under this paragraph is
82 not subject to any quota or limitation, except that the craft
83 distillery must be:

84 1. Located on property within a destination entertainment
85 venue; and

86 2. In operation and open for tours during normal business
87 hours at least 5 days a week.

88 (c) The vendor license may be issued only for the premises
89 included on the licensed premises sketch on file with the
90 division under s. 565.03 for the craft distillery, including its
91 souvenir gift shop or tasting room.

92 (d) No more than three craft distilleries may be licensed
93 as a vendor in a community redevelopment area under this
94 subsection. Craft distilleries licensed as a vendor under this
95 subsection must be located within the same destination
96 entertainment venue and must share identical ownership, and each
97 craft distillery must distill, blend, or rectify at least 50,000
98 gallons of branded products per calendar year.

99 (e) Except as otherwise provided in this paragraph, a
100 craft distillery licensed as a vendor under this subsection

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101 shall be treated as a vendor and is subject to all provisions
102 relating to such vendors licensed to sell alcoholic beverages
103 for consumption on premises. A craft distillery licensed as a
104 vendor may not make package sales for off-premises consumption
105 or make any delivery or shipment of alcoholic beverages away
106 from the destination entertainment venue or the craft
107 distillery, unless such shipment or delivery is authorized for a
108 craft distillery under s. 565.03.

109 (f) Alcoholic beverages manufactured by another licensed
110 manufacturer, including branded products manufactured at another
111 craft distillery location sharing identical ownership, must be
112 obtained through a licensed distributor.

113 Section 2. Paragraphs (a) and (b) of subsection (1) and
114 subsections (2) and (5) of section 565.03, Florida Statutes, are
115 amended to read:

116 565.03 License fees; manufacturers, distributors, brokers,
117 sales agents, and importers of alcoholic beverages; vendor
118 licenses and fees; distilleries and craft distilleries.—

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

120 (a) "Branded product" means any distilled spirits product
121 that:

122 1. Is owned by a craft distillery;

123 2. Contains distilled spirits that are manufactured by
124 distilling, rectifying, or blending by the craft distillery on
125 its licensed premises; and

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126 3. Has manufactured on site, which requires a federal
127 certificate and label approval by the Federal Government Alcohol
128 ~~Administration Act or federal regulations.~~

129 (b) "Craft distillery" means a licensed distillery in this
130 state which distills, rectifies, or blends 250,000 that produces
131 75,000 or fewer gallons or less of distilled spirits per
132 calendar year ~~of distilled spirits on its premises and has~~
133 ~~notified the division in writing of its decision to qualify as a~~
134 ~~craft distillery.~~

135 (2) (a) A distillery may not operate as a craft distillery
136 until the distillery has provided to the division written
137 notification that it meets the criteria specified in paragraph
138 (1) (b). Upon the division's receipt of the notification and its
139 verification that the distillery meets all such criteria, the
140 division shall add the designation of craft distiller on the
141 distillery's license.

142 (b) A person may not share common ownership in more than
143 10 craft distilleries, provided that no more than:

144 1. Four of the distilleries each distill, rectify, or
145 blend 250,000 gallons or less of distilled spirits per calendar
146 year; and

147 2. Six of the distilleries each distill, rectify, or blend
148 50,000 gallons or less of distilled spirits per calendar year.

149
150 As used in this paragraph, the term "common ownership" means

151 having a direct or indirect financial interest in two or more
152 distilleries by the same person.

153 (c) Effective July 1, 2026, a minimum of 60 percent of a
154 craft distillery's total finished branded products must be
155 distilled in this state and contain one or more Florida
156 agricultural products.

157 (d) A distillery or a craft distillery authorized to do
158 business under the Beverage Law shall pay an annual state
159 license tax for each plant or branch operating in the state, as
160 follows:

161 1. A distillery engaged in the business of manufacturing
162 distilled spirits: \$4,000.

163 2. A craft distillery engaged in the business of
164 manufacturing distilled spirits: \$1,000.

165 3. A person engaged in the business of rectifying and
166 blending spirituous liquors and nothing else: \$4,000.

167 (e) ~~(b)~~ A licensed distillery or licensed craft distillery
168 may ~~Persons licensed under this section who are in the business~~
169 ~~of distilling spirituous liquors may also~~ engage in the business
170 of rectifying or ~~and~~ blending spirituous liquors without the
171 payment of an additional license tax.

172 (f) ~~(e)~~ A craft distillery ~~licensed under this section~~ may
173 sell directly to consumers up to 75,000 gallons per calendar
174 year of, ~~at its souvenir gift shop,~~ branded products that are
175 manufactured by the craft distillery distilled on its premises.

176 A craft distillery may sell branded products directly to
177 consumers by the drink for consumption on the premises or by the
178 package in factory-sealed containers for consumption off the
179 premises in this state in factory-sealed containers that are
180 filled at the distillery for off-premises consumption. Such
181 sales are authorized only in the craft distillery's souvenir
182 gift shop or tasting room located on private property contiguous
183 to the licensed ~~distillery~~ premises. Branded products sold to
184 consumers must have been distilled, rectified, or blended on the
185 distillery premises that is located contiguous to the craft
186 distillery's souvenir gift shop or tasting room. The souvenir
187 gift shop or tasting room must be in this state and included on
188 the sketch or diagram defining the licensed premises submitted
189 with the distillery's license application. All sketch or diagram
190 revisions by the distillery shall require the division's
191 approval verifying that the locations of the souvenir gift shops
192 and tasting rooms ~~shop location~~ operated by the licensed
193 distillery are ~~is~~ owned or leased by the distillery and on
194 property contiguous to the distillery's production building in
195 this state.

196 1. Except as authorized under s. 565.17(2), a craft
197 distillery may not sell any factory-sealed individual containers
198 of spirits to consumers except in face-to-face sales
199 transactions with such consumers at the craft distillery's
200 licensed premises. Such branded products must be in compliance

201 with the container limits under s. 565.10 and be intended for
 202 personal consumption rather than for resale ~~who are making a~~
 203 ~~purchase of no more than six individual containers of each~~
 204 ~~branded product.~~

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

210 ~~3.~~ A craft distillery must report to the division within 5
 211 days after it exceeds ~~reaches~~ the production limits or is no
 212 longer operating under the requirements or limitations provided
 213 in paragraph (1)(b). Any retail sales of branded products by the
 214 drink or by the package to consumers at the craft distillery's
 215 licensed premises are prohibited beginning the day after it
 216 exceeds ~~reaches~~ the production limitation.

217 ~~3.4.~~ A craft distillery may not ship or arrange to ship
 218 any of its branded products or any other alcoholic beverages
 219 ~~distilled spirits~~ to consumers and may sell and deliver only to
 220 consumers within the state in a face-to-face transaction at the
 221 distillery property. However, a craft distillery ~~distiller~~
 222 licensed under this section may ship, arrange to ship, or
 223 deliver such spirits to any manufacturers of distilled spirits,
 224 wholesale distributors of distilled spirits, state or federal
 225 bonded warehouses, or ~~and~~ exporters.

226 ~~4.5.~~ Except as provided in subparagraph 5. ~~subparagraph~~
227 ~~6.~~, it is unlawful to transfer a craft distillery license ~~for a~~
228 ~~distillery that produces 75,000 or fewer gallons per calendar~~
229 ~~year of distilled spirits on its premises~~ or any ownership
230 interest in such license to an individual or entity that has a
231 direct or indirect ownership interest in any distillery that
232 distills, rectifies, or blends 250,000 gallons or more per
233 calendar year of distilled spirits under any license issued
234 ~~licensed~~ in this state; in another state, territory, or country;
235 or by the United States Government to distill ~~manufacture,~~
236 ~~blend,~~ or rectify distilled spirits for beverage purposes.

237 ~~5.6.~~ Except as provided in paragraph (b), a craft
238 distillery may ~~shall~~ not have its ownership affiliated with
239 another distillery, unless such distillery is owned by an
240 individual or entity that distills, rectifies, or blends 250,000
241 gallons or less per calendar year of distilled spirits ~~produces~~
242 ~~75,000 or fewer gallons per calendar year of distilled spirits~~
243 on each of its premises in this state or in another state,
244 territory, or country.

245 6. A craft distillery may transfer up to 75,000 gallons
246 per calendar year of its branded products that it distills,
247 rectifies, or blends from its federal bonded space, nonbonded
248 space at its licensed premises, or storage areas to its souvenir
249 gift shop and tasting room.

250 (5) A craft distillery making sales under paragraph (2) (f)

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251 ~~paragraph (2)(c)~~ is responsible for submitting any excise taxes
252 due to the state on distilled spirits ~~on beverages~~ under the
253 Beverage Law with ~~in~~ its monthly report to the division ~~with any~~
254 ~~tax payments due to the state.~~

255 Section 3. Section 565.17, Florida Statutes, is amended to
256 read:

257 565.17 Beverage tastings by distributors, craft
258 distilleries, and vendors.-

259 (1) A licensed distributor of spirituous beverages, a
260 craft distillery as defined in s. 565.03, or any vendor, is
261 authorized to conduct spirituous beverage tastings upon any
262 licensed premises authorized to sell spirituous beverages by
263 package or for consumption on premises without being in
264 violation of s. 561.42, provided that the conduct of the
265 spirituous beverage tasting shall be limited to and directed
266 toward the general public of the age of legal consumption.

267 (2) Craft distilleries may conduct tastings and sales of
268 distilled spirits produced by the craft distilleries at Florida
269 fairs, trade shows, farmers markets, expositions, and festivals.
270 The division shall issue permits to craft distilleries for such
271 tastings and sales. A craft distillery must pay all entry fees
272 and must have a distillery representative present during the
273 event. The permit is limited to the duration and physical
274 location of the event.

275 Section 4. This act shall take effect July 1, 2021.