

26 | vendors and of vendors as manufacturers; conditions and
 27 | limitations.—

28 | (3)(a) Notwithstanding other provisions of the Beverage
 29 | Law, any vendor licensed in this state may be licensed as a
 30 | manufacturer of malt beverages upon a finding by the division
 31 | that:

32 | 1. The vendor will be engaged in brewing malt beverages at
 33 | a single location and in an amount which will not exceed 5,000
 34 | barrels of beer ~~10,000 kegs~~ per year. ~~For purposes of this~~
 35 | ~~subsection, the term "keg" means 15.5 gallons.~~

36 | 2. The malt beverages so brewed will be sold to consumers
 37 | for consumption on the vendor's licensed premises or on
 38 | contiguous licensed premises owned by the vendor.

39 | Section 3. Subsection (2) of section 563.02, Florida
 40 | Statutes, is amended to read:

41 | 563.02 License fees; vendors; manufacturers and
 42 | distributors.—

43 | (2) Each manufacturer engaged in the business of brewing
 44 | only malt beverages shall pay an annual state license tax of
 45 | \$3,000 for each plant or branch he or she may operate. However,
 46 | each manufacturer engaged in the business of brewing less than
 47 | 5,000 barrels ~~10,000 kegs~~ of malt beverages annually for
 48 | consumption on the premises pursuant to s. 561.221(3) shall pay
 49 | an annual state license tax of \$500 for each plant or branch.

50 | Section 4. Section 563.042, Florida Statutes, is created

51 to read:

52 563.042 Contract and Alternating Proprietorship Brewing.-

53 (1) As used in this section the term:

54 (a) "Alternating proprietorship brewing" means an
 55 agreement between a guest brewer and host brewer wherein the
 56 guest brewer manufactures malt beverages on the host brewer's
 57 licensed premises.

58 (b) "Contract brewer" means a licensed manufacturer of
 59 malt beverages who brews malt beverages on its licensed premises
 60 for a contracting brewer.

61 (c) "Contract brewing" means an agreement wherein a
 62 contracting brewer pays a contract brewer to produce malt
 63 beverages.

64 (d) "Contracting brewer" means a licensed manufacturer of
 65 malt beverages who contracts for the services of a contract
 66 brewer.

67 (e) "Guest brewer" means a licensed manufacturer of malt
 68 beverages who brews malt beverages at a host brewer's licensed
 69 premises.

70 (f) "Host brewer" means a licensed manufacturer of malt
 71 beverages who allows a guest brewer to brew malt beverages on
 72 the manufacturer's licensed premises.

73 (2) The contract brewer:

74 (a) May enter into multiple contract brewing agreements
 75 for the purpose of manufacturing malt beverages.

76 (b) Shall comply with all applicable federal and state
77 laws, including labeling laws.

78 (c) Shall pay all federal and state taxes on malt
79 beverages manufactured pursuant to this section upon removal of
80 the malt beverages from its licensed premises.

81 (d) Retains title to malt beverages produced under a
82 contract brewing agreement until such beverages are removed from
83 its licensed premises.

84 (e) Shall ensure that the contracting brewer's malt
85 beverages remain separate and identifiable from all other malt
86 beverages at all times.

87 (f) Notwithstanding any other provision of the Beverage
88 Law, may transfer malt beverages to the contracting brewer in an
89 amount up to the yearly production amount of the contracting
90 brewer's facility.

91 (g) Shall report to the division by the 10th day of each
92 month the volume of each label of malt beverages manufactured on
93 its licensed premises under the contract brewing agreement.

94 (3) The contracting brewer:

95 (a) May only engage in the manufacture of malt beverages
96 on its duly licensed premises and on the licensed premises of a
97 contract brewer disclosed under paragraph (4) (a).

98 (b) Shall report to the division by the 10th day of each
99 month the volume of each label of malt beverages manufactured on
100 the licensed premises of the contract brewer under the contract

101 brewing agreement.

102 (4) The contract brewer and contracting brewer:

103 (a) Must, before engaging in contract brewing, notify the
104 division, on forms provided by the division, of their intent to
105 operate as a contract brewer or contracting brewer and disclose
106 the location of the licensed premises where brewing will occur.

107 (b) Shall maintain all records required to be kept by
108 manufacturers of malt beverages under the Beverage Law.

109 (c) Notwithstanding any other provision of the Beverage
110 Law, shall comply with s. 561.221(2)(c).

111 (5) The host brewer shall report to the division by the
112 10th day of each month the volume of each label of malt
113 beverages manufactured on its licensed premises under the
114 alternating proprietorship brewing agreement.

115 (6) The guest brewer:

116 (a) Shall comply with all applicable federal and state
117 laws, including labeling laws.

118 (b) Shall pay all federal and state taxes on malt
119 beverages manufactured pursuant to this section upon removal of
120 the malt beverages from the host brewer's licensed premises.

121 (c) Retains title to malt beverages manufactured under an
122 alternating proprietorship brewing agreement.

123 (d) Shall report to the division by the 10th day of each
124 month the volume of each label of malt beverages manufactured at
125 each licensed premises under each alternating proprietorship

126 brewing agreement.

127 (7) Before engaging in alternating proprietorship brewing,
128 the host brewer and guest brewer:

129 (a) Must each qualify as a brewer with the Alcohol and
130 Tobacco Tax and Trade Bureau under the U.S. Department of the
131 Treasury.

132 (b) Shall submit to the division, on forms provided by the
133 division, information identifying:

134 1. The host brewer.

135 2. The guest brewer.

136 3. The location where the alternating proprietorship
137 brewing will take place.

138 4. The location where any product brewed pursuant to the
139 alternating proprietorship brewing agreement will be stored.

140 5. The amount of malt beverages to be produced under the
141 alternating proprietorship brewing agreement.

142 6. The timeframe in which the guest brewer will be
143 manufacturing malt beverages on the host brewer's licensed
144 premises.

145 7. Proof of occupancy rights to the host brewer's licensed
146 premises for the duration of the alternating proprietorship
147 brewing agreement.

148 8. Any other information reasonably deemed necessary by
149 the division to ensure the health, safety, and welfare of the
150 public or to ensure that all applicable taxes on the malt

151 beverages produced pursuant to an alternating proprietorship
 152 brewing agreement are remitted to the state.

153 (8) Each entity engaged in the activities described in
 154 this section shall maintain records including:

155 (a) Any agreement authorizing the manufacturing and
 156 transfer of malt beverages.

157 (b) Records of the total volume, in gallons, manufactured
 158 as part of the agreement.

159 (c) Any other records required by the Division to ensure
 160 compliance with the provisions of the Beverage Law.

161 (9) Manufacturers or vendors licensed pursuant to the s.
 162 561.221(3) (a) may not engage in contract brewing or alternating
 163 proprietorship brewing.

164 Section 5. Subsection (2) of section 563.045, Florida
 165 Statutes, is amended to read:

166 563.045 Brands or labels to be registered; qualification
 167 to do business; fee; revocation.—

168 (2) ~~The each registrant shall pay an annual registration~~
 169 ~~fee for a brand or label sold to a distributor is of \$30 for a~~
 170 ~~brand or label.~~ No other annual registration fee for a brand or
 171 label is authorized under this section. Any registration may be
 172 suspended or revoked in the same manner as a beverage license
 173 for any violation of the Beverage Law.

174 Section 6. This act shall take effect July 1, 2022.