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A bill to be entitled  
An act relating to the beverage law; amending s. 561.221, F.S.; authorizing a craft brewery to conduct tastings and sales of malt beverages at certain events; requiring the Division of Alcoholic Beverages and Tobacco to issue permits for such tastings and sales to such craft breweries; requiring such craft breweries to pay all entry fees and have a representative present at such events; providing that the permit is valid only for the duration and physical location of the event; defining the term "craft brewery"; amending s. 561.37, F.S.; deleting a requirement that manufacturers and brewers file a surety bond with the division; amending s. 563.02, F.S.; revising a requirement for certain manufacturers to pay a specified license tax; creating s. 563.042, F.S.; defining terms; authorizing contract brewers to transfer malt beverages to contracting brewers' facilities up to a specified amount; authorizing a contract brewer to contract with one or more contracting brewers for a specified purpose; providing that the contract brewer is responsible for complying with federal and state law and for paying all federal and state taxes; providing that title to the malt beverages remains with the contract brewer until the

26 malt beverages are removed from the licensed premises;  
27 requiring contract brewers and contracting brewers to  
28 maintain certain records required by the division;  
29 requiring licensed manufacturers that wish to engage  
30 in contract brewing to notify the division of its  
31 intention on forms provided by the division; requiring  
32 such licensed manufacturers to make a full and  
33 complete report to the division by a certain date;  
34 specifying what a contract brewer and a contracting  
35 brewer must include in such reports; requiring such  
36 licensed manufacturers to maintain all records  
37 required by the Beverage Law; requiring that an entity  
38 seeking to become a host brewer or a guest brewer for  
39 alternating proprietorship brewing first qualify as a  
40 brewer with the National Revenue Center; requiring  
41 such entities to submit a form to the division with  
42 specified information; requiring that a guest brewer's  
43 malt beverages be separate and identifiable from the  
44 malt beverages of all other tenants at the host  
45 brewer's licensed premises; requiring a guest brewer  
46 to make a full and complete report of specified  
47 information to the division by a certain day each  
48 month; requiring a guest brewer to comply with all  
49 federal and state law and to pay all federal and state  
50 taxes; providing that title to the malt beverages

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51       remains with the guest brewer; prohibiting  
52       manufacturers or vendors from engaging in contract  
53       brewing or alternating proprietorship brewing;  
54       authorizing the division to adopt rules; providing an  
55       effective date.

56

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

58

59       **Section 1. Paragraph (f) is added to subsection (2) of**  
60       **section 561.221, Florida Statutes, to read:**

61       561.221 Licensing of manufacturers and distributors as  
62       vendors and of vendors as manufacturers; conditions and  
63       limitations.—

64       (2)

65       (f)1. A craft brewery licensed under this subsection may  
66       conduct tastings and sales of malt beverages produced by the  
67       brewery at fairs, trade shows, farmers markets, expositions, and  
68       festivals in this state. The division shall issue permits to  
69       craft breweries for such tastings and sales. A craft brewery  
70       must pay all entry fees and must have a brewery representative  
71       present during the event. The permit is limited to the duration  
72       and physical location of the event.

73       2. As used in this paragraph, the term "craft brewery"  
74       means a manufacturer, whether licensed in this state or in  
75       another state, which produces in total fewer than 60,000 barrels

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76       of malt beverages per calendar year.

77       **Section 2. Section 561.37, Florida Statutes, is amended to**  
78       **read:**

79       561.37 Bond for payment of taxes.— Each ~~manufacturer~~ and  
80       ~~each~~ distributor shall file with the division a surety bond  
81       acceptable to the division in the sum of \$25,000 as surety for  
82       the payment of all taxes, provided, however, that when in the  
83       discretion of the division the amount of business done by the  
84       ~~manufacturer or~~ distributor is of such volume that a bond of  
85       less than \$25,000 will be adequate to secure the payment of all  
86       taxes assessed or authorized by the Beverage Law, the division  
87       may accept a bond in a lesser sum than \$25,000, but in no event  
88       shall it accept a bond of less than \$10,000, and it may at any  
89       time in its discretion require any bond in an amount less than  
90       \$25,000 to be increased so as not to exceed \$25,000; ~~provided,~~  
91       ~~however,~~ that the amount of bond required for a brewer shall be  
92       \$20,000, except that where, in the discretion of the division,  
93       the amount of business done by the brewer is of such volume that  
94       a bond of less than \$20,000 will be adequate to secure the  
95       payment of all taxes assessed or authorized by the Beverage Law,  
96       the division may accept a bond in a lesser sum than \$20,000, but  
97       in no event shall it accept a bond of less than \$10,000, and it  
98       may at any time in its discretion require any bond in an amount  
99       less than \$20,000 to be increased so as not to exceed \$20,000;  
100       ~~provided further that the amount of the bond required for a wine~~

101 or wine and cordial manufacturer shall be \$5,000, except that,  
102 in the case of a manufacturer engaged solely in the experimental  
103 manufacture of wines and cordials from Florida products, where  
104 in the discretion of the division the amount of business done by  
105 such manufacturer is of such volume that a bond of less than  
106 \$5,000 will be adequate to secure the payment of all taxes  
107 assessed or authorized by the Beverage Law, the division may  
108 accept a bond in a lesser sum than \$5,000, but in no event shall  
109 it accept a bond of less than \$1,000 and it may at any time in  
110 its discretion require a bond in an amount less than \$5,000 to  
111 be increased so as not to exceed \$5,000; provided, further, that  
112 the amount of bond required for a distributor who sells only  
113 beverages containing not more than 4.007 percent of alcohol by  
114 volume, in counties where the sale of intoxicating liquors,  
115 wines, and beers is prohibited, and to distributors who sell  
116 only beverages containing not more than 17.259 percent of  
117 alcohol by volume and wines regardless of alcoholic content, in  
118 counties where the sale of intoxicating liquors, wines, and  
119 beers is permitted, shall file with the division a surety bond  
120 acceptable to the division in the sum of \$25,000, as surety for  
121 the payment of all taxes; provided, however, that where in the  
122 discretion of the division the amount of business done by such  
123 distributor is of such volume that a bond of less than \$25,000  
124 will be adequate to secure the payment of all taxes assessed or  
125 authorized by the Beverage Law the division may accept a bond in

126 a less sum than \$25,000 but in no event shall it accept a bond  
127 less than \$1,000 and it may at any time in its discretion  
128 require any bond in an amount less than \$25,000 to be increased  
129 so as not to exceed \$25,000; provided, further, that the amount  
130 of bond required for a distributor in a county having a  
131 population of 15,000 or less who procures a license by which his  
132 or her sales are restricted to distributors and vendors who have  
133 obtained licenses in the same county, shall be \$5,000.

134 **Section 3. Subsection (2) of section 563.02, Florida  
135 Statutes, is amended to read:**

136 563.02 License fees; vendors; manufacturers and  
137 distributors.—

138 (2) Each manufacturer engaged in the business of brewing  
139 only malt beverages shall pay an annual state license tax of  
140 \$3,000 for each plant or branch he or she may operate. However,  
141 each manufacturer engaged in the business of brewing fewer less  
142 than 60,000 barrels 10,000 kegs of malt beverages annually  
143 pursuant to s. 561.221(2) or for consumption on the premises  
144 pursuant to s. 561.221(3), shall pay an annual state license tax  
145 of \$500 for each plant or branch.

146 **Section 4. Section 563.042, Florida Statutes, is created  
147 to read:**

148 563.042 Contract brewing and alternating proprietorships.—

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

150 (a) "Alternating proprietorship brewing" means an

151 agreement between a host brewer and guest brewer wherein the  
152 guest brewer manufactures malt beverages on the host brewer's  
153 licensed premises.

154 (b) "Contract brewer" means a licensed manufacturer of  
155 malt beverages who brews such beverages on its licensed premises  
156 for a contracting brewer.

157 (c) "Contract brewing" means an agreement between a  
158 contract brewer and a contracting brewer wherein the contract  
159 brewer brews malt beverages on its licensed premises for a  
160 contracting brewer.

161 (d) "Contracting brewer" means a licensed manufacturer of  
162 malt beverages who contracts for the services of malt beverage  
163 brewing with a contract brewer.

164 (e) "Guest brewer" means a licensed manufacturer of malt  
165 beverages who brews malt beverages at a host brewer's licensed  
166 premises.

167 (f) "Host brewer" means a licensed manufacturer of malt  
168 beverages who allows a guest brewer to brew malt beverages at  
169 the host brewer's licensed premises.

170 (2) Notwithstanding any other provision of the Beverage  
171 Law, contract brewers are authorized to transfer malt beverages  
172 to contracting brewers in an amount up to the yearly production  
173 amount at a contracting brewer's facility pursuant to a contract  
174 brewing agreement entered into in accordance with this section.  
175 Such beverages may be transferred to the contracting brewer's

176 licensed facility as provided in s. 561.221(2)(c).

177 (3) A contract brewer may contract with one or more  
178 contracting brewers for the purpose of manufacturing malt  
179 beverages for such licensees. The contract brewer is responsible  
180 for complying with federal and state law relating to the  
181 manufacturing of malt beverages, including labeling laws, and  
182 for the payment of all federal and state taxes on any malt  
183 beverage manufactured pursuant to this section after removing  
184 the malt beverages from the manufacturer's licensed premises.  
185 Title to the malt beverages remains with the contract brewer  
186 until the malt beverages are removed from the licensed premises.

187 (4) Each entity engaged in the activities described in  
188 this section shall maintain records, including the agreement  
189 authorizing the manufacturing and transfer of malt beverages,  
190 records of the amount of malt beverages manufactured as part of  
191 the agreement, and all other records required by the division to  
192 ensure compliance with the Beverage Law.

193 (5) Licensed manufacturers of malt beverages intending to  
194 engage in contract brewing must do all of the following:

195 (a) Notify the division of the intent to operate as a  
196 contract brewer or contracting brewer before engaging in  
197 contract brewing, and disclose the location of licensed premises  
198 where brewing will occur, on forms provided by the division.  
199 Contracting brewers may only engage in the manufacture of malt  
200 beverages at their duly licensed premises and at the disclosed

201 licensed premises of a contract brewer.

202 (b) Make a full and complete report to the division by the  
203 10th day of each month. Contract brewers shall report the volume  
204 of a label of malt beverages manufactured upon the licensed  
205 premises. Contracting brewers shall report the volume of a label  
206 of malt beverages manufactured at the licensed premises of the  
207 contract brewer.

208 (c) Maintain all records required to be kept by  
209 manufacturers of malt beverages under the Beverage Law.

210 (6) Before engaging in alternating proprietorship brewing,  
211 an entity seeking to become a host brewer or a guest brewer must  
212 qualify as a brewer with the National Revenue Center within the  
213 United States Department of the Treasury and submit the  
214 following information to the division on a form approved by the  
215 division:

216 (a) The name of the host brewer.

217 (b) The name of the guest brewer.

218 (c) The location where the alternating proprietorship  
219 brewing will take place.

220 (d) The location where any product brewed pursuant to the  
221 alternating proprietorship brewing arrangement will be stored.

222 (e) The amount of malt beverages to be produced under the  
223 alternating proprietorship brewing arrangement.

224 (f) The timeframe in which the guest brewer will be  
225 manufacturing malt beverages on the host brewer's licensed

226 premises.

227 (g) Proof of occupancy rights to the host brewer's  
228 licensed premises for the duration of the alternating  
229 proprietorship brewing arrangement.

230 (h) Any other information reasonably deemed necessary by  
231 the division to ensure the health, safety, and welfare of the  
232 people in this state, and to ensure that all applicable taxes on  
233 the malt beverages produced pursuant to an alternating  
234 proprietorship brewing arrangement are remitted to the state.

235 (7) Each guest brewer's malt beverages must remain  
236 separate and identifiable from the malt beverages of all other  
237 tenants at the contract brewer's licensed premises at all times.

238 (8) Each guest brewer shall make a full and complete  
239 report to the division by the 10th day of each month. Guest  
240 brewers shall report the volume of each label of malt beverages  
241 manufactured upon each licensed premises. Host brewers shall  
242 report the volume of each label of malt beverages manufactured  
243 at the licensed premises of the host brewer.

244 (9) The guest brewer is responsible for complying with all  
245 federal and state law dealing with the manufacturing of malt  
246 beverages, including labeling laws, and for the payment of all  
247 federal and state taxes on any malt beverages manufactured  
248 pursuant to this section upon removal of the malt beverages from  
249 the manufacturer's licensed premises. Title to the malt  
250 beverages remains with the guest brewer.

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251        (10) Manufacturers or vendors licensed pursuant to s.  
252 561.221(3) may not engage in contract brewing or alternating  
253 proprietorship brewing.

254        (11) The division may adopt rules and forms pursuant to  
255 ss. 120.536(1) and 120.54 to implement this section.

256        **Section 5.** This act shall take effect July 1, 2026.