

By Senator Truenow

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30 to notify the division of their intent on forms  
31 provided by the division; requiring such licensed  
32 manufacturers to make a full and complete monthly  
33 report to the division by a certain date; specifying  
34 the information 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  
42 containing specified information; requiring that a  
43 contracting brewer's malt beverages be separate and  
44 identifiable from the beer of all other tenants at the  
45 contract brewer's licensed premises; requiring a guest  
46 brewer 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  
51 remains with the guest brewer; prohibiting certain  
52 manufacturers or vendors from engaging in contract  
53 brewing or alternating proprietorship brewing;  
54 authorizing the division to adopt rules; reenacting  
55 ss. 563.06(7)(a) and 563.13, F.S., relating to malt  
56 beverages, imprint on individual containers, size of  
57 containers, exemptions and Florida brewery directional  
58 signs and fees, respectively, to incorporate the

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59 amendment made to s. 561.221, F.S., in references  
60 thereto; providing an effective date.

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

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

66 561.221 Licensing of manufacturers and distributors as  
67 vendors and of vendors as manufacturers; conditions and  
68 limitations.—

69 (2)

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

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

80 561.37 Bond for payment of taxes.—Each ~~manufacturer and~~  
81 ~~each~~ distributor shall file with the division a surety bond  
82 acceptable to the division in the sum of \$25,000 as surety for  
83 the payment of all taxes, provided, however, that when in the  
84 discretion of the division the amount of business done by the  
85 ~~manufacturer or~~ distributor is of such volume that a bond of  
86 less than \$25,000 will be adequate to secure the payment of all  
87 taxes assessed or authorized by the Beverage Law, the division

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88 may accept a bond in a lesser sum than \$25,000, but in no event  
89 shall it accept a bond of less than \$10,000, and it may at any  
90 time in its discretion require any bond in an amount less than  
91 \$25,000 to be increased so as not to exceed \$25,000; ~~provided,~~  
92 ~~however, that the amount of bond required for a brewer shall be~~  
93 ~~\$20,000, except that where, in the discretion of the division,~~  
94 ~~the amount of business done by the brewer is of such volume that~~  
95 ~~a bond of less than \$20,000 will be adequate to secure the~~  
96 ~~payment of all taxes assessed or authorized by the Beverage Law,~~  
97 ~~the division may accept a bond in a lesser sum than \$20,000, but~~  
98 ~~in no event shall it accept a bond of less than \$10,000, and it~~  
99 ~~may at any time in its discretion require any bond in an amount~~  
100 ~~less than \$20,000 to be increased so as not to exceed \$20,000;~~  
101 ~~provided further that the amount of the bond required for a wine~~  
102 ~~or wine and cordial manufacturer shall be \$5,000, except that,~~  
103 ~~in the case of a manufacturer engaged solely in the experimental~~  
104 ~~manufacture of wines and cordials from Florida products, where~~  
105 ~~in the discretion of the division the amount of business done by~~  
106 ~~such manufacturer is of such volume that a bond of less than~~  
107 ~~\$5,000 will be adequate to secure the payment of all taxes~~  
108 ~~assessed or authorized by the Beverage Law, the division may~~  
109 ~~accept a bond in a lesser sum than \$5,000, but in no event shall~~  
110 ~~it accept a bond of less than \$1,000 and it may at any time in~~  
111 ~~its discretion require a bond in an amount less than \$5,000 to~~  
112 ~~be increased so as not to exceed \$5,000; provided, further, that~~  
113 ~~the amount of bond required for a distributor who sells only~~  
114 ~~beverages containing not more than 4.007 percent of alcohol by~~  
115 ~~volume, in counties where the sale of intoxicating liquors,~~  
116 ~~wines, and beers is prohibited, and to distributors who sell~~

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117 only beverages containing not more than 17.259 percent of  
118 alcohol by volume and wines regardless of alcoholic content, in  
119 counties where the sale of intoxicating liquors, wines, and  
120 beers is permitted, shall file with the division a surety bond  
121 acceptable to the division in the sum of \$25,000, as surety for  
122 the payment of all taxes; provided, however, that where in the  
123 discretion of the division the amount of business done by such  
124 distributor is of such volume that a bond of less than \$25,000  
125 will be adequate to secure the payment of all taxes assessed or  
126 authorized by the Beverage Law the division may accept a bond in  
127 a less sum than \$25,000 but in no event shall it accept a bond  
128 less than \$1,000 and it may at any time in its discretion  
129 require any bond in an amount less than \$25,000 to be increased  
130 so as not to exceed \$25,000; provided, further, that the amount  
131 of bond required for a distributor in a county having a  
132 population of 15,000 or less who procures a license by which his  
133 or her sales are restricted to distributors and vendors who have  
134 obtained licenses in the same county, shall be \$5,000.

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

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

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

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146 each plant or branch.

147       Section 4. Section 563.042, Florida Statutes, is created to  
148 read:149       563.042 Contract brewing and alternating proprietorships.—150       (1) For purposes of this section, the term:151       (a) "Alternating proprietorship brewing" means an agreement  
152 between a host brewer and a guest brewer wherein the guest  
153 brewer manufactures malt beverages on the host brewer's licensed  
154 premises.155       (b) "Contract brewer" means a licensed manufacturer of malt  
156 beverages which brews such beverages on its licensed premises  
157 for a contracting brewer.158       (c) "Contract brewing" means an agreement between a  
159 contract brewer and a contracting brewer wherein the contract  
160 brewer brews malt beverages on its licensed premises for a  
161 contracting brewer.162       (d) "Contracting brewer" means a licensed manufacturer of  
163 malt beverages which contracts for the services of malt beverage  
164 brewing with a contract brewer.165       (e) "Guest brewer" means a licensed manufacturer of malt  
166 beverages which brews malt beverages at a host brewer's licensed  
167 premises.168       (f) "Host brewer" means a licensed manufacturer of malt  
169 beverages which allows a guest brewer to brew malt beverages at  
170 the host brewer's licensed premises.171       (2) Notwithstanding any other provision of the Beverage  
172 Law, contract brewers are authorized to transfer malt beverages  
173 to contracting brewers in an amount up to the yearly production  
174 amount at a contracting brewer's facility pursuant to a contract

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175 brewing agreement entered into in accordance with this section.  
176 Such beverages may be transferred to the contracting brewer's  
177 licensed facility as provided in s. 563.022(14) (d).

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

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

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

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

203 (b) Make a full and complete report to the division by the

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204 10th day of each month. Contract brewers shall report the volume  
205 of a label of malt beverages manufactured upon the licensed  
206 premises. Contracting brewers shall report the volume of a label  
207 of malt beverages manufactured at the licensed premises of the  
208 contract brewer.

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

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

- 217 (a) The name of the host brewer.
- 218 (b) The name of the guest brewer.
- 219 (c) The location where the alternating proprietorship  
brewing will take place.
- 221 (d) The location where any product brewed pursuant to the  
alternating proprietorship brewing arrangement will be stored.
- 223 (e) The amount of malt beverages to be produced under the  
alternating proprietorship brewing agreement.
- 225 (f) The timeframe in which the guest brewer will be  
manufacturing malt beverages on the host brewer's licensed  
premises.
- 228 (g) Proof of occupancy rights to the host brewer's licensed  
premises for the duration of the alternating proprietorship  
brewing agreement.
- 231 (h) Any other information reasonably deemed necessary by  
the division to ensure the health, safety, and welfare of the

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233 people in this state and to ensure that all applicable taxes on  
234 the malt beverages produced pursuant to an alternating  
235 proprietorship brewing agreement are remitted to the state.

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

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

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

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

255 (11) The division may adopt rules and forms pursuant to ss.  
256 120.536(1) and 120.54 to implement this section.

257 Section 5. For the purpose of incorporating the amendment  
258 made by this act to section 561.221, Florida Statutes, in a  
259 reference thereto, paragraph (a) of subsection (7) of section  
260 563.06, Florida Statutes, is reenacted to read:

261 563.06 Malt beverages; imprint on individual container;

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262 size of containers; exemptions.—

263 (7) Notwithstanding any other provision of the Beverage  
264 Law, a malt beverage may be packaged in a growler, which is an  
265 individual container that holds 32, 64, or 128 ounces of such  
266 malt beverage if it is filled at the point of sale.

267 (a) A growler may be filled or refilled by any of the  
268 following:

269 1. A licensed manufacturer of malt beverages holding a  
270 vendor's license under s. 561.221(2).

271 2. A vendor holding a quota license under s. 561.20(1) or  
272 s. 565.02(1)(a) which authorizes the sale of malt beverages.

273 3. A vendor holding a license under s. 563.02(1)(b)-(f), s.  
274 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), unless such license  
275 restricts the sale of malt beverages to sale for consumption  
276 only on the premises of such vendor.

277 4. A vendor holding a license pursuant to s. 563.02(1)(a)  
278 or s. 564.02(1)(a), having held that license in current, active  
279 status on June 30, 2015, subject to the following requirements:

280 a. The vendor proves, to the satisfaction of the division,  
281 that the vendor had draft equipment and tapping accessories  
282 installed and had purchased kegs before June 30, 2015.

283 b. The growlers are filled or refilled by the vendor or the  
284 vendor's employee aged 18 or older.

285 c. The taps or mechanisms used to fill or refill the  
286 growlers are not accessible to customers.

287 d. The growlers meet the labeling and sealing requirements  
288 of paragraph (b).

289 e. The vendor does not permit consumption on premises,  
290 including tastings or other sampling activities.

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291       Section 6. For the purpose of incorporating the amendment  
292 made by this act to section 561.221, Florida Statutes, in a  
293 reference thereto, section 563.13, Florida Statutes, is  
294 reenacted to read:

295       563.13 Florida brewery directional signs; fees.—Upon the  
296 request of a brewery licensed under s. 561.221(2) or (3) which  
297 produces a minimum of 2,500 barrels per year on the premises, is  
298 open to the public at least 30 hours per week, and is available  
299 for tours, the Department of Transportation shall install  
300 directional signs for the brewery on the rights-of-way of  
301 interstate highways and primary and secondary roads in  
302 accordance with Florida's Highway Guide Sign Program as provided  
303 in chapter 14-51, Florida Administrative Code. A brewery  
304 licensed in this state which requests placement of a directional  
305 sign through the department's permit process shall pay all  
306 associated costs.

307       Section 7. This act shall take effect July 1, 2026.