



298022

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/25/2018	.	
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The Committee on Regulated Industries (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 55 - 114

and insert:

(b) "Craft distillery" means a licensed distillery that has notified the division in writing of its decision to qualify as a craft distillery and that:

1. Produces 250,000 ~~75,000~~ or fewer gallons per calendar year of distilled spirits on its premises; and

2. Sells up to 50,000 gallons per calendar year of



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11 distilled spirits to consumers at its souvenir gift shop in  
12 accordance with this section ~~Has notified the division in~~  
13 ~~writing of its decision to qualify as a craft distillery.~~

14 (2)

15 (c) A craft distillery licensed under this section may sell  
16 to consumers, at its souvenir gift shop, up to 50,000 gallons  
17 per calendar year of branded products distilled on its premises  
18 in this state in factory-sealed containers that are filled at  
19 the distillery for off-premises consumption. Such sales are  
20 authorized only on private property contiguous to the licensed  
21 distillery premises in this state and included on the sketch or  
22 diagram defining the licensed premises submitted with the  
23 distillery's license application. All sketch or diagram  
24 revisions by the distillery shall require the division's  
25 approval verifying that the souvenir gift shop location operated  
26 by the licensed distillery is owned or leased by the distillery  
27 and on property contiguous to the distillery's production  
28 building in this state.

29 1. A craft distillery may not sell any factory-sealed  
30 individual containers of spirits except in face-to-face sales  
31 transactions with consumers who are making a purchase of no more  
32 than six individual containers of each branded product.

33 2. Each container sold in face-to-face transactions with  
34 consumers must comply with the container limits in s. 565.10,  
35 per calendar year for the consumer's personal use and not for  
36 resale and who are present at the distillery's licensed premises  
37 in this state.

38 3. A craft distillery must report to the division within 5  
39 days after it reaches the production limitations provided in



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40 paragraph (1)(b). Any retail sales to consumers at the craft  
41 distillery's licensed premises are prohibited beginning the day  
42 after it reaches the production limitation.

43 4. A craft distillery may not ship or arrange to ship any  
44 of its distilled spirits to consumers and may sell and deliver  
45 only to consumers within the state in a face-to-face transaction  
46 at the distillery property. However, a craft distiller licensed  
47 under this section may ship, arrange to ship, or deliver such  
48 spirits to manufacturers of distilled spirits, wholesale  
49 distributors of distilled spirits, state or federal bonded  
50 warehouses, and exporters.

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

60 6. A craft distillery may ~~shall~~ not have its ownership  
61 interest directly or indirectly affiliated with any individual  
62 or entity that has a direct or indirect ownership interest in  
63 any distillery licensed in this state; in another state,  
64 territory, or country; or by the United States government to  
65 manufacture, blend, or rectify distilled spirits for beverage  
66 purposes, unless such distillery is a craft distillery ~~another~~  
67 ~~distillery, unless such distillery produces 75,000 or fewer~~  
68 ~~gallons per calendar year of distilled spirits on each of its~~



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69 ~~premises in this state or in another state, territory, or~~  
70 ~~country.~~

71 7. A craft distillery may transfer up to 50,000 gallons per  
72 calendar year of distilled spirits it manufactures from its  
73 federal bonded space, a nonbonded space, its licensed premises,  
74 or its storage areas to its souvenir gift shop.

75  
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete lines 13 - 17

79 and insert:

80 to transfer a distillery license for a craft  
81 distillery or ownership in such license to certain  
82 individuals or entities; prohibiting a craft  
83 distillery from having its ownership affiliated with  
84 certain individuals or entities; authorizing a craft