

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Stevenson offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and paragraphs (a) and (c) of subsection (2) of section 565.03, Florida Statutes, are amended to read:

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

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

(b) "Craft distillery" means a licensed distillery that produces 250,000 ~~75,000~~ or fewer gallons per calendar year of

734385

Approved For Filing: 4/21/2017 3:57:40 PM

Amendment No.

14 distilled spirits on its premises and is designated as a craft
15 distillery by ~~has notified~~ the division upon notification in
16 writing of its decision to qualify as a craft distillery.

17 (2) (a) A distillery or a craft distillery authorized to do
18 business under the Beverage Law shall pay an annual state
19 license tax for each plant or branch operating in the state, as
20 follows:

21 1. A distillery ~~if~~ engaged in the business of
22 manufacturing distilled spirits: ~~a state license tax of~~
23 \$4,000.

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

26 ~~3.2.~~ A person ~~if~~ engaged in the business of rectifying and
27 blending spirituous liquors and nothing else: ~~a state license~~
28 ~~tax of~~ \$4,000.

29 (c) A craft distillery licensed under this section may
30 sell up to 75,000 gallons per calendar year to consumers, at its
31 souvenir gift shop, branded products distilled on its premises
32 in this state in factory-sealed containers that are filled at
33 the distillery for off-premises consumption. Such sales are
34 authorized only on private property contiguous to the licensed
35 distillery premises in this state and included on the sketch or
36 diagram defining the licensed premises submitted with the
37 distillery's license application. All sketch or diagram
38 revisions by the distillery shall require the division's

734385

Approved For Filing: 4/21/2017 3:57:40 PM

Amendment No.

39 approval verifying that the souvenir gift shop location operated
40 by the licensed distillery is owned or leased by the distillery
41 and on property contiguous to the distillery's production
42 building in this state.

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

47 ~~a. Two individual containers of each branded product;~~

48 ~~b. Three individual containers of a single branded product~~
49 ~~and up to one individual container of a second branded product;~~

50 ~~or~~

51 ~~e. Four individual containers of a single branded product.~~

52 2. Each container sold in face-to-face transactions with
53 consumers must comply with the container limits in s. 565.10,
54 per calendar year for the consumer's personal use and not for
55 resale and who are present at the distillery's licensed premises
56 in this state.

57 3. A craft distillery must report to the division within 5
58 days after it reaches the production limitations provided in
59 paragraph (1)(b). Any retail sales to consumers at the craft
60 distillery's licensed premises are prohibited beginning the day
61 after it reaches the production limitation.

62 4. A craft distillery may not ship or arrange to ship any
63 of its distilled spirits to consumers and may sell and deliver

734385

Approved For Filing: 4/21/2017 3:57:40 PM

Amendment No.

64 only to consumers within the state in a face-to-face transaction
65 at the distillery property. However, a craft distiller licensed
66 under this section may ship, arrange to ship, or deliver such
67 spirits to manufacturers of distilled spirits, wholesale
68 distributors of distilled spirits, state or federal bonded
69 warehouses, and exporters.

70 5. Except as provided in subparagraph 6., it is unlawful
71 to transfer a distillery license for a distillery that produces
72 250,000 ~~75,000~~ or fewer gallons per calendar year of distilled
73 spirits on its premises or any ownership interest in such
74 license to an individual or entity that has a direct or indirect
75 ownership interest in any distillery licensed in this state;
76 another state, territory, or country; or by the United States
77 government to manufacture, blend, or rectify distilled spirits
78 for beverage purposes.

79 6. A craft distillery shall not have its ownership
80 affiliated with another distillery, unless such distillery
81 produces 250,000 ~~75,000~~ or fewer gallons per calendar year of
82 distilled spirits on each of its premises in this state or in
83 another state, territory, or country.

84 7. A craft distillery may transfer up to 75,000 gallons
85 per calendar year of distilled spirits it manufactures from its
86 federal bonded space, a nonbonded space at its licensed
87 premises, or its storage areas to its souvenir gift shop.
88

734385

Approved For Filing: 4/21/2017 3:57:40 PM

Amendment No.

89
90
91
92
93
94
95
96
97
98
99
100
101

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to craft distilleries; amending s.
565.03, F.S.; revising the definition of the term
"craft distillery"; revising license taxes for
distilleries or craft distilleries authorized to do
business under the Beverage Law; providing limitations
on retail sales by craft distilleries to consumers;
authorizing craft distilleries to transfer up to a
specified amount of distilled spirits under certain
circumstances; providing an effective date.

734385

Approved For Filing: 4/21/2017 3:57:40 PM