

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Beshears offered the following:

**Substitute Amendment for Amendment (734385) (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and paragraph (c) of subsection (2) of section 565.03, Florida Statutes, is 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:

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13 (b) "Craft distillery" means a licensed distillery that  
14 produces 85,000 ~~75,000~~ or fewer gallons per calendar year of  
15 distilled spirits on its premises and is designated as a craft  
16 distillery by has notified the division upon notification in  
17 writing of its decision to qualify as a craft distillery.

18 (2)

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

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

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

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37 ~~b. Three individual containers of a single branded product~~  
38 ~~and up to one individual container of a second branded product;~~  
39 ~~or~~

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

41 2. Each container sold in face-to-face transactions with  
42 consumers must comply with the container limits in s. 565.10,  
43 per calendar year for the consumer's personal use and not for  
44 resale and who are present at the distillery's licensed premises  
45 in this state.

46 3. A craft distillery must report to the division within 5  
47 days after it reaches the production limitations provided in  
48 paragraph (1)(b). Any retail sales to consumers at the craft  
49 distillery's licensed premises are prohibited beginning the day  
50 after it reaches the production limitation.

51 4. A craft distillery may not ship or arrange to ship any  
52 of its distilled spirits to consumers and may sell and deliver  
53 only to consumers within the state in a face-to-face transaction  
54 at the distillery property. However, a craft distiller licensed  
55 under this section may ship, arrange to ship, or deliver such  
56 spirits to manufacturers of distilled spirits, wholesale  
57 distributors of distilled spirits, state or federal bonded  
58 warehouses, and exporters.

59 5. Except as provided in subparagraph 6., it is unlawful  
60 to transfer a distillery license for a distillery that produces  
61 85,000 ~~75,000~~ or fewer gallons per calendar year of distilled

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62 spirits on its premises or any ownership interest in such  
63 license to an individual or entity that has a direct or indirect  
64 ownership interest in any distillery licensed in this state;  
65 another state, territory, or country; or by the United States  
66 government to manufacture, blend, or rectify distilled spirits  
67 for beverage purposes.

68 6. A craft distillery shall not have its ownership  
69 affiliated with another distillery, unless such distillery  
70 produces 85,000 ~~75,000~~ or fewer gallons per calendar year of  
71 distilled spirits on each of its premises in this state or in  
72 another state, territory, or country.

73 Section 2. This act shall take effect upon becoming a law.

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

76 Remove everything before the enacting clause and insert:

77 A bill to be entitled  
78 An act relating to craft distilleries; amending s.  
79 565.03, F.S.; revising the definition of the term  
80 "craft distillery"; providing limitations on retail  
81 sales by craft distilleries to consumers; providing an  
82 effective date.  
83