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LEGISLATIVE ACTION

Senate

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House

The Committee on Commerce and Tourism (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete line 38

and insert:

Section 4. Paragraph (b) of subsection (1) and paragraph (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; distilleries and craft distilleries.—



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

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

18 (c) A craft distillery licensed under this section may sell
19 to consumers, at its souvenir gift shop, up to 75,000 gallons
20 per calendar year of branded products distilled on its premises
21 in this state in factory-sealed containers that are filled at
22 the distillery for off-premises consumption. Such sales are
23 authorized only on private property contiguous to the licensed
24 distillery premises in this state and included on the sketch or
25 diagram defining the licensed premises submitted with the
26 distillery's license application. All sketch or diagram
27 revisions by the distillery shall require the division's
28 approval verifying that the souvenir gift shop location operated
29 by the licensed distillery is owned or leased by the distillery
30 and on property contiguous to the distillery's production
31 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 2. Each container sold in face-to-face transactions with
37 consumers must comply with the container limits in s. 565.10,
38 per calendar year for the consumer's personal use and not for
39 resale and who are present at the distillery's licensed premises



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40 in this state.

41 3. A craft distillery must report to the division within 5
42 days after it reaches the production limitations provided in
43 paragraph (1)(b). Any retail sales to consumers at the craft
44 distillery's licensed premises are prohibited beginning the day
45 after it reaches the production limitation.

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

54 5. Except as provided in subparagraph 6., it is unlawful to
55 transfer a distillery license for a distillery that produces
56 250,000 ~~75,000~~ or fewer gallons per calendar year of distilled
57 spirits on its premises or any ownership interest in such
58 license to an individual or entity that has a direct or indirect
59 ownership interest in any distillery licensed in this state;
60 another state, territory, or country; or by the United States
61 government to manufacture, blend, or rectify distilled spirits
62 for beverage purposes.

63 6. A craft distillery shall not have its ownership
64 affiliated with another distillery, unless such distillery
65 produces 250,000 ~~75,000~~ or fewer gallons per calendar year of
66 distilled spirits on each of its premises in this state or in
67 another state, territory, or country.

68 7. A craft distillery may transfer up to 75,000 gallons per



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69 calendar year of distilled spirits it manufactures from its
70 federal bonded space, nonbonded space at its licensed premises,
71 or storage areas to its souvenir gift shop.

72 Section 5. This act shall take effect July 1, 2018.

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

75 And the title is amended as follows:

76 Delete line 9

77 and insert:

78 for off-premises consumption; amending s. 565.03,
79 F.S.; redefining the term "craft distillery";
80 providing limitations on retail sales by a craft
81 distillery to consumers; providing that it is unlawful
82 to transfer a distillery license, or ownership in a
83 distillery license, for certain distilleries to
84 certain individuals or entities; prohibiting a craft
85 distillery from having its ownership affiliated with
86 certain other distilleries; authorizing a craft
87 distillery to transfer distilled spirits from certain
88 locations to its souvenir gift shop; providing an
89 effective