

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

|                       |               |       |
|-----------------------|---------------|-------|
| ADOPTED               | <u>      </u> | (Y/N) |
| ADOPTED AS AMENDED    | <u>      </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u>      </u> | (Y/N) |
| FAILED TO ADOPT       | <u>      </u> | (Y/N) |
| WITHDRAWN             | <u>      </u> | (Y/N) |
| OTHER                 | <u>      </u> |       |

1 Committee/Subcommittee hearing bill: Business & Professions  
 2 Subcommittee

3 Representative Renuart offered the following:

4  
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (a) and (b) of subsection (1) of  
 8 section 565.03, Florida Statutes, are redesignated as paragraphs  
 9 (b) and (c), respectively, a new paragraph (a) is added to that  
 10 subsection, and paragraph (c) of subsection (2) of that section  
 11 is amended, to read:

12 565.03 License fees; manufacturers, distributors, brokers,  
 13 sales agents, and importers of alcoholic beverages; vendor  
 14 licenses and fees; craft distilleries.-

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

16 (a) "Branded product" means any distilled spirits product  
 17 manufactured on site, which requires a federal certificate and

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18 label approval by the Federal Alcohol Administration Act or  
19 regulations.

20 (2)

21 (c) A craft distillery licensed under this section may  
22 sell to consumers, at its souvenir gift shop, branded products  
23 ~~spirits~~ distilled on its premises in this state in factory-  
24 sealed containers that are filled at the distillery for off-  
25 premises consumption. Such sales are authorized only on private  
26 property contiguous to the licensed distillery premises in this  
27 state and included on the sketch or diagram defining the  
28 licensed premises submitted with the distillery's license  
29 application. All sketch or diagram revisions by the distillery  
30 shall require the division's approval verifying that the  
31 souvenir gift shop location operated by the licensed distillery  
32 is owned or leased by the distillery and on property contiguous  
33 to the distillery's production building in this state. A craft  
34 distillery ~~or licensed distillery~~ may not sell any factory-  
35 sealed individual containers of spirits except in face-to-face  
36 sales transactions with consumers who are making a purchase of  
37 two or fewer individual containers of each branded product that  
38 comply with the container limits in s. 565.10, per calendar year  
39 for the consumer's personal use and not for resale and who are  
40 present at the distillery's licensed premises in this state.

41 1. A craft distillery must report to the division within 5  
42 days after it reaches the production limitations provided in  
43 paragraph (1)(b) ~~(1)(a)~~. Any retail sales to consumers at the

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Published On: 3/23/2015 7:21:46 PM

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44 craft distillery's licensed premises are prohibited beginning  
45 the day after it reaches the production limitation.

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

54 3. Except as provided in subparagraph 4., it is unlawful  
55 to transfer a distillery license for a distillery that produces  
56 75,000 or fewer gallons per calendar year of distilled spirits  
57 on its premises or any ownership interest in such license to an  
58 individual or entity that has a direct or indirect ownership  
59 interest in any distillery licensed in this state; another  
60 state, territory, or country; or by the United States government  
61 to manufacture, blend, or rectify distilled spirits for beverage  
62 purposes.

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

68 Section 2. This act shall take effect July 1, 2015.  
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**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.;  
defining the term "branded product"; revising the current  
limitation on the number of containers that may be sold to  
consumers by craft distilleries; applying such limitation to  
individual containers for each branded product; prohibiting a  
craft distillery from shipping or arranging to ship any of its  
distilled spirits to consumers; providing an exception;  
providing an effective date.