

1                   A bill to be entitled  
2           An act relating to craft distilleries; amending s.  
3           565.02, F.S.; defining the term "destination  
4           entertainment venue"; authorizing craft distilleries  
5           to be licensed as specified vendors under certain  
6           circumstances; providing requirements for such  
7           licenses; providing requirements for craft  
8           distilleries for such licenses; prohibiting a licensee  
9           from taking certain actions; requiring certain  
10          alcoholic beverages to be obtained through a licensed  
11          distributor; amending s. 565.03, F.S.; redefining the  
12          terms "branded product" and "craft distillery";  
13          prohibiting a distillery from operating as a craft  
14          distillery until certain requirements are met;  
15          authorizing persons to have common ownership in craft  
16          distilleries under certain circumstances; defining the  
17          term "common ownership"; requiring a minimum  
18          percentage of a craft distillery's total finished  
19          branded products to be distilled in this state and  
20          contain one or more Florida agricultural products  
21          after a specified date; revising the requirements and  
22          prohibitions on the sale of branded products to  
23          consumers by a licensed craft distillery; revising the  
24          circumstances for which a craft distillery must report  
25          certain information about the production of distilled

26 | spirits to the Division of Alcoholic Beverages and  
27 | Tobacco of the Department of Business and Professional  
28 | Regulation; revising prohibitions on the shipment of  
29 | certain products by a craft distillery; revising  
30 | prohibitions on the transfer of a craft distillery  
31 | license or ownership interest in such license;  
32 | revising prohibitions relating to affiliated ownership  
33 | of craft distilleries; authorizing a craft distillery  
34 | to transfer specified distilled spirits from certain  
35 | locations to its souvenir gift shop and tasting room;  
36 | making technical changes; providing craft distillery  
37 | recordkeeping requirements; amending s. 565.17, F.S.;  
38 | authorizing craft distilleries to conduct spirituous  
39 | beverage tastings under certain circumstances;  
40 | requiring the division to issue permits to craft  
41 | distilleries to conduct tastings and sales at certain  
42 | locations; specifying requirements for distilleries  
43 | for such permits; providing an effective date.

44 |  
45 | Be It Enacted by the Legislature of the State of Florida:

46 |  
47 | Section 1. Present subsection (12) of section 565.02,  
48 | Florida Statutes, is redesignated as subsection (13), and a new  
49 | subsection (12) is added to that section, to read:

50 | 565.02 License fees; vendors; clubs; caterers; and

51 others.—

52 (12) (a) As used in this subsection, the term "destination  
53 entertainment venue" means a venue that:

54 1. Is located in a designated community redevelopment area  
55 authorized under an adopted community redevelopment plan to  
56 support urban redevelopment and economic development;

57 2. Is owned by any person licensed as a craft distillery  
58 located within the destination entertainment venue;

59 3. Is adjacent to and served by multimodal transportation  
60 options, including, at a minimum, bicycle and pedestrian trails  
61 included on an adopted city or county trails map and mass  
62 transit routes established by a city, county, or regional  
63 transportation authority; and

64 4. Is located within a contiguous area of at least 15  
65 acres, including associated parking and stormwater requirements  
66 as required by local law, regulation, or ordinance, and that  
67 contains:

68 a. At least one indoor event venue with a minimum capacity  
69 of 150 people which is fully serviced by a connected onsite  
70 kitchen;

71 b. At least one outdoor event venue with a minimum  
72 capacity of 1,000 people which has regularly occurring live  
73 entertainment on a stage that is at least 12 feet deep and 16  
74 feet wide; and

75 c. One or more licensed craft distilleries sharing

76 identical ownership.

77 (b) Notwithstanding any other provisions of the Beverage  
78 Law, upon the payment of the appropriate fees, a craft  
79 distillery licensed in this state may be licensed as a vendor  
80 only for consumption on the premises of alcoholic beverages  
81 manufactured by other manufacturers and acquired through a  
82 distributor. The issuance of a license under this paragraph is  
83 not subject to any quota or limitation, except that the craft  
84 distillery must be:

85 1. Located on property within a destination entertainment  
86 venue; and

87 2. In operation and open for tours during normal business  
88 hours at least 5 days a week.

89 (c) The vendor license may be issued only for the premises  
90 included on the licensed premises sketch on file with the  
91 division under s. 565.03 for the craft distillery, including its  
92 souvenir gift shop or tasting room.

93 (d) No more than three craft distilleries may be licensed  
94 as a vendor in a community redevelopment area under this  
95 subsection. Craft distilleries licensed as a vendor under this  
96 subsection must be located within the same destination  
97 entertainment venue and must share identical ownership, and each  
98 craft distillery must distill, blend, or rectify at least 50,000  
99 gallons of branded products per calendar year.

100 (e) Except as otherwise provided in this paragraph, a

101 craft distillery licensed as a vendor under this subsection  
 102 shall be treated as a vendor and is subject to all provisions  
 103 relating to such vendors licensed to sell alcoholic beverages  
 104 for consumption on premises. A craft distillery licensed as a  
 105 vendor may not make package sales for off-premises consumption  
 106 or make any delivery or shipment of alcoholic beverages away  
 107 from the destination entertainment venue or the craft  
 108 distillery, unless such shipment or delivery is authorized for a  
 109 craft distillery under s. 565.03.

110 (f) Alcoholic beverages manufactured by another licensed  
 111 manufacturer, including branded products manufactured at another  
 112 craft distillery location sharing identical ownership, must be  
 113 obtained through a licensed distributor.

114 Section 2. Subsections (6) and (7) of section 565.03,  
 115 Florida Statutes, are renumbered as subsections (7) and (8),  
 116 respectively, paragraphs (a) and (b) of subsection (1) and  
 117 subsections (2) and (5) are amended, and a new subsection (6) is  
 118 added to that section, to read:

119 565.03 License fees; manufacturers, distributors, brokers,  
 120 sales agents, and importers of alcoholic beverages; vendor  
 121 licenses and fees; distilleries and craft distilleries.—

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

123 (a) "Branded product" means any distilled spirits product  
 124 that:

125 1. Is owned by a craft distillery;

126        2. Contains distilled spirits that are manufactured by  
 127 distilling, rectifying, or blending by the craft distillery on  
 128 its licensed premises; and

129        3. Has ~~manufactured on site, which requires~~ a federal  
 130 certificate and label approval by the Federal Government ~~Alcohol~~  
 131 ~~Administration Act or federal regulations.~~

132        (b) "Craft distillery" means a licensed distillery in this  
 133 state which distills, rectifies, or blends 250,000 that produces  
 134 75,000 or fewer gallons or less of distilled spirits per  
 135 calendar year of distilled spirits on its premises and has  
 136 notified the division in writing of its decision to qualify as a  
 137 craft distillery.

138        (2) (a) A distillery may not operate as a craft distillery  
 139 until the distillery has provided to the division written  
 140 notification that it meets the criteria specified in paragraph  
 141 (1) (b). Upon the division's receipt of the notification and its  
 142 verification that the distillery meets all such criteria, the  
 143 division shall add the designation of craft distiller on the  
 144 distillery's license.

145        (b) A person may not share common ownership in more than  
 146 10 craft distilleries, provided that no more than:

147        1. Four of the distilleries each distill, rectify, or  
 148 blend 250,000 gallons or less of distilled spirits per calendar  
 149 year; and

150        2. Six of the distilleries each distill, rectify, or blend

151 50,000 gallons or less of distilled spirits per calendar year.

152

153 As used in this paragraph, the term "common ownership" means  
154 having a direct or indirect financial interest in two or more  
155 distilleries by the same person.

156 (c) Effective July 1, 2026, a minimum of 60 percent of a  
157 craft distillery's total finished branded products must be  
158 distilled in this state and contain one or more Florida  
159 agricultural products.

160 (d) A distillery or a craft distillery authorized to do  
161 business under the Beverage Law shall pay an annual state  
162 license tax for each plant or branch operating in the state, as  
163 follows:

164 1. A distillery engaged in the business of manufacturing  
165 distilled spirits: \$4,000.

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

168 3. A person engaged in the business of rectifying and  
169 blending spirituous liquors and nothing else: \$4,000.

170 (e) ~~(b)~~ A licensed distillery or licensed craft distillery  
171 may ~~Persons licensed under this section who are in the business~~  
172 ~~of distilling spirituous liquors may also~~ engage in the business  
173 of rectifying or ~~and~~ blending spirituous liquors without the  
174 payment of an additional license tax.

175 (f) ~~(e)~~ A craft distillery licensed under this section may

176 | sell directly to consumers up to 75,000 gallons per calendar  
177 | year of, ~~at its souvenir gift shop,~~ branded products that are  
178 | manufactured by the craft distillery distilled on its premises.  
179 | A craft distillery may sell branded products directly to  
180 | consumers by the drink for consumption on the premises or by the  
181 | package in factory-sealed containers for consumption off the  
182 | premises in this state in factory-sealed containers that are  
183 | ~~filled at the distillery for off-premises consumption.~~ Such  
184 | sales are authorized only in the craft distillery's souvenir  
185 | gift shop or tasting room located on private property contiguous  
186 | to the licensed ~~distillery~~ premises. Branded products sold to  
187 | consumers must have been distilled, rectified, or blended on the  
188 | distillery premises that is located contiguous to the craft  
189 | distillery's souvenir gift shop or tasting room. The souvenir  
190 | gift shop or tasting room must be in this state and included on  
191 | the sketch or diagram defining the licensed premises submitted  
192 | with the distillery's license application. All sketch or diagram  
193 | revisions by the distillery shall require the division's  
194 | approval verifying that the locations of the souvenir gift shops  
195 | and tasting rooms ~~shop location~~ operated by the licensed  
196 | distillery are ~~is~~ owned or leased by the distillery and on  
197 | property contiguous to the distillery's production building in  
198 | this state.

199 |       1. Except as authorized under s. 565.17(2), a craft  
200 | distillery may not sell any factory-sealed individual containers



201 of spirits to consumers except in face-to-face sales  
202 transactions with such consumers at the craft distillery's  
203 licensed premises. Such branded products must be in compliance  
204 with the container limits under s. 565.10 and be intended for  
205 personal consumption rather than for resale ~~who are making a~~  
206 ~~purchase of no more than six individual containers of each~~  
207 ~~branded product.~~

208 2. ~~Each container sold in face-to-face transactions with~~  
209 ~~consumers must comply with the container limits in s. 565.10,~~  
210 ~~per calendar year for the consumer's personal use and not for~~  
211 ~~resale and who are present at the distillery's licensed premises~~  
212 ~~in this state.~~

213 3. A craft distillery must report to the division within 5  
214 days after it exceeds ~~reaches~~ the production limits or is no  
215 longer operating under the requirements or limitations provided  
216 in paragraph (1)(b). Any retail sales of branded products by the  
217 drink or by the package to consumers at the craft distillery's  
218 licensed premises are prohibited beginning the day after it  
219 exceeds ~~reaches~~ the production limitation.

220 3.4. A craft distillery may not ship or arrange to ship  
221 any of its branded products or any other alcoholic beverages  
222 ~~distilled spirits~~ to consumers and may sell and deliver only to  
223 consumers within the state in a face-to-face transaction at the  
224 distillery property. However, a craft distillery ~~distiller~~  
225 licensed under this section may ship, arrange to ship, or

226 deliver such spirits to any manufacturers of distilled spirits,  
227 wholesale distributors of distilled spirits, state or federal  
228 bonded warehouses, or ~~and~~ exporters.

229 ~~4.5.~~ Except as provided in subparagraph 5. ~~subparagraph~~  
230 ~~6.,~~ it is unlawful to transfer a craft distillery license ~~for a~~  
231 ~~distillery that produces 75,000 or fewer gallons per calendar~~  
232 ~~year of distilled spirits on its premises or any ownership~~  
233 interest in such license to an individual or entity that has a  
234 direct or indirect ownership interest in any distillery that  
235 distills, rectifies, or blends 250,000 gallons or more per  
236 calendar year of distilled spirits under any license issued  
237 licensed in this state; in another state, territory, or country;  
238 or by the United States Government to distill ~~manufacture,~~  
239 blend, or rectify distilled spirits for beverage purposes.

240 ~~5.6.~~ Except as provided in paragraph (b), a craft  
241 distillery may ~~shall~~ not have its ownership affiliated with  
242 another distillery, unless such distillery is owned by an  
243 individual or entity that distills, rectifies, or blends 250,000  
244 gallons or less per calendar year of distilled spirits ~~produces~~  
245 ~~75,000 or fewer gallons per calendar year of distilled spirits~~  
246 on each of its premises in this state or in another state,  
247 territory, or country.

248 6. A craft distillery may transfer up to 75,000 gallons  
249 per calendar year of its branded products that it distills,  
250 rectifies, or blends from its federal bonded space, nonbonded

251 space at its licensed premises, or storage areas to its souvenir  
252 gift shop and tasting room.

253 (5) A craft distillery making sales under paragraph (2) (f)  
254 ~~paragraph (2) (e)~~ is responsible for submitting any excise taxes  
255 due to the state on distilled spirits ~~on beverages~~ under the  
256 Beverage Law with ~~in~~ its monthly report to the division ~~with any~~  
257 ~~tax payments due to the state.~~

258 (6) A craft distillery shall keep complete and accurate  
259 records of all alcoholic beverages received from any point  
260 within or outside this state from another manufacturer, or from  
261 a broker or sales agent or importer, including any delivery  
262 invoice or other record of the common or contract carrier of  
263 freight making the delivery of such alcoholic beverages. The  
264 records shall be kept and maintained for a period of 3 years, as  
265 required by s. 561.55.

266 Section 3. Section 565.17, Florida Statutes, is amended to  
267 read:

268 565.17 Beverage tastings by distributors, craft  
269 distilleries, and vendors.—

270 (1) A licensed distributor of spirituous beverages, a  
271 craft distillery as defined in s. 565.03, or any vendor~~r~~ is  
272 authorized to conduct spirituous beverage tastings upon any  
273 licensed premises authorized to sell spirituous beverages by  
274 package or for consumption on premises without being in  
275 violation of s. 561.42, provided that the conduct of the

276 | spirituous beverage tasting shall be limited to and directed  
277 | toward the general public of the age of legal consumption.

278 |       (2) Craft distilleries may conduct tastings and sales of  
279 | distilled spirits produced by the craft distilleries at Florida  
280 | fairs, trade shows, farmers markets, expositions, and festivals.  
281 | The division shall issue permits to craft distilleries for such  
282 | tastings and sales. A craft distillery must pay all entry fees  
283 | and must have a distillery representative present during the  
284 | event. The permit is limited to the duration and physical  
285 | location of the event.

286 |       Section 4. This act shall take effect July 1, 2021.