

SENATE BILL NO. 242—SENATOR SMITH

MARCH 12, 2013

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning brew pubs.
(BDR 52-1065)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to alcoholic beverages; removing the limitation on the number of barrels of malt beverages that an operator of one or more brew pubs can manufacture in any calendar year; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law prohibits a person who operates one or more brew pubs in a
2 county whose population is 700,000 or more (currently Clark County) from
3 manufacturing more than 15,000 barrels of malt beverages for all the brew pubs the
4 person operates in that county in any calendar year. Additionally, a person who
5 operates one or more brew pubs in a county whose population is less than 700,000
6 (currently all counties other than Clark County) is prohibited from manufacturing
7 more than 5,000 barrels of malt beverages for all the brew pubs the person operates
8 in that county in any calendar year. (NRS 597.230) This bill removes the limitation
9 on the number of barrels of malt beverages that a person who operates one or more
10 brew pubs in any county can manufacture in any calendar year.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 597.230 is hereby amended to read as follows:
2 597.230 1. In ~~fa county whose population is 700,000 or~~
3 ~~more,~~ *any county*, a person may operate a brew pub:
4 (a) In any redevelopment area established in that county
5 pursuant to NRS 279.382 to 279.685, inclusive;
6 (b) In any historic district established in that county pursuant to
7 NRS 384.005;



(c) In any retail liquor store as that term is defined in NRS 369.090; or

(d) In any other area in the county designated by the board of county commissioners for the operation of brew pubs. In a city which is located in that county, a person may operate a brew pub in any area in the city designated by the governing body of that city for the operation of brew pubs.

~~1. A person who operates one or more brew pubs may not manufacture more than 15,000 barrels of malt beverages for all the brew pubs he or she operates in that county in any calendar year.~~

~~2. In a county whose population is less than 700,000, a person may operate a brew pub:~~

~~(a) In any redevelopment area established in that county pursuant to NRS 279.382 to 279.685, inclusive;~~

~~(b) In any historic district established in that county pursuant to NRS 384.005;~~

~~(c) In any retail liquor store as that term is defined in NRS 369.090; or~~

~~(d) In any other area in the county designated by the board of county commissioners for the operation of brew pubs. In a city which is located in that county, a person may operate a brew pub in any area in the city designated by the governing body of that city for the operation of brew pubs.~~

~~3. A person who operates one or more brew pubs may not manufacture more than 5,000 barrels of malt beverages for all brew pubs he or she operates in that county in any calendar year.~~

~~3.1~~ 2. The premises of any brew pub operated pursuant to this section must be conspicuously identified as a "brew pub."

~~4.1~~ 3. A person who operates a brew pub pursuant to this section may, upon obtaining a license pursuant to chapter 369 of NRS and complying with any other applicable governmental requirements:

(a) Manufacture and store malt beverages on the premises of the brew pub and:

(1) Sell and transport the malt beverages manufactured on the premises to a person holding a valid wholesale wine and liquor dealer's license or wholesale beer dealer's license issued pursuant to chapter 369 of NRS.

(2) Donate for charitable or nonprofit purposes and transport the malt beverages manufactured on the premises in accordance with the terms and conditions of a special permit for the transportation of the malt beverages obtained from the Department of Taxation pursuant to subsection 4 of NRS 369.450.

(b) Sell at retail malt beverages manufactured on or off the premises of the brew pub for consumption on the premises.



* S B 2 4 2 *

- 1 (c) Sell at retail in packages sealed on the premises of the brew
- 2 pub, malt beverages, including malt beverages in unpasteurized
- 3 form, manufactured on the premises for consumption off the
- 4 premises.

5 **Sec. 2.** This act becomes effective on July 1, 2013.

