

SENATE BILL NO. 342—SENATORS SMITH, SPEARMAN, PARKS;
ATKINSON, DENIS, FORD, KIHUEN, MANENDO AND WOODHOUSE

MARCH 16, 2015

JOINT SPONSOR: ASSEMBLYMAN CARRILLO

Referred to Committee on Revenue and
Economic Development

SUMMARY—Revises provisions relating to the regulation and
taxation of hard cider. (BDR 32-875)

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

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

AN ACT relating to alcoholic beverages; clarifying that the term
“wine” includes hard cider; reducing the rate of the excise
tax levied on hard cider; and providing other matters
properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law defines “wine” as any alcoholic beverage obtained by the
- 2 fermentation of the natural content of fruits or other agricultural products
- 3 containing sugar. (NRS 369.140) **Sections 1 and 2** of this bill clarify that the term
- 4 “wine” includes cider that is produced from the fermentation of apples or pears, or
- 5 both.
- 6 Under existing law, an excise tax is levied on wine, including cider, at a rate of
- 7 70 cents per wine gallon or proportionate part thereof. (NRS 369.330) **Section 3** of
- 8 this bill provides that the rate of the excise tax levied on wine is not applicable to
- 9 cider and instead requires the levy of an excise tax on cider at a rate of 16 cents per
- 10 gallon or proportionate part thereof.



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

Section 1. Chapter 369 of NRS is hereby amended by adding thereto a new section to read as follows:

1. As used in this chapter, "cider" means a wine that contains not less than one-half of 1 percent of alcohol by volume and not more than 8.5 percent of alcohol by volume that is produced from the fermentation of the juice of sound, ripe apples or pears, or both.

2. The term includes, without limitation, sparkling or carbonated cider and cider produced from the condensed must of apples or pears, or both.

Sec. 2. NRS 369.140 is hereby amended to read as follows:

369.140 As used in this chapter, "wine" means any alcoholic beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar **H** , *and includes, without limitation, cider.*

Sec. 3. NRS 369.330 is hereby amended to read as follows:

369.330 Except as otherwise provided in this chapter, an excise tax is hereby levied and must be collected respecting all liquor and upon the privilege of importing, possessing, storing or selling liquor, according to the following rates and classifications:

1. On liquor containing more than 22 percent of alcohol by volume, \$3.60 per wine gallon or proportionate part thereof.

2. On liquor containing more than 14 percent up to and including 22 percent of alcohol by volume, \$1.30 per wine gallon or proportionate part thereof.

3. On liquor , *other than cider*, containing from one-half of 1 percent up to and including 14 percent of alcohol by volume, 70 cents per wine gallon or proportionate part thereof.

4. On all malt beverage liquor brewed or fermented and bottled in or outside this state, 16 cents per gallon.

5. On all cider, 16 cents per gallon or proportionate part thereof.

Sec. 4. This act becomes effective:

1. Upon passage and approval for the purpose of performing any preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On July 1, 2015, for all other purposes.

