

ASSEMBLY BILL NO. 4—ASSEMBLYMAN HICKEY

PREFILED DECEMBER 19, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Deletes provisions specifying the population of a county in which a winery may engage in certain activities. (BDR 52-228)

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

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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 wineries; deleting provisions specifying the population of a county in which a winery may engage in certain activities; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a winery which is located in a county whose population is
2 100,000 or less (currently all counties other than Clark and Washoe Counties) and
3 is federally bonded may: (1) import wine or juice from a bonded winery in another
4 state for fermentation, mixing with other wine or aging in this State; (2) sell at retail
5 or serve by the glass on its premises and at one other location any wine produced,
6 blended or aged by the winery if the wine sold at that other location does not
7 exceed a certain amount; and (3) serve any alcoholic beverage by the glass on its
8 premises. (NRS 597.240) This bill deletes the restriction concerning the population
9 of the county in which such a winery is located.

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

1 **Section 1.** NRS 597.210 is hereby amended to read as follows:
2 597.210 1. Except as otherwise provided in subsection 2 ,
3 ~~and NRS 597.240,~~ a person engaged in business as a supplier or
4 engaged in the business of manufacturing, blending or bottling
5 alcoholic beverages within or without this State shall not:
6 (a) Engage in the business of importing, wholesaling or retailing
7 alcoholic beverages; or



1 (b) Operate or otherwise locate his or her business on the
2 premises or property of another person engaged in the business of
3 importing, wholesaling or retailing alcoholic beverages.

4 2. This section does not:

5 (a) Preclude any person engaged in the business of importing,
6 wholesaling or retailing alcoholic beverages from owning less than
7 2 percent of the outstanding ownership equity in any organization
8 which manufactures, blends or bottles alcoholic beverages.

9 (b) Prohibit a person engaged in the business of rectifying or
10 bottling alcoholic beverages from importing neutral or distilled
11 spirits in bulk only for the express purpose of rectification pursuant
12 to NRS 369.415.

13 (c) Prohibit a person from operating a brew pub pursuant to
14 NRS 597.230.

15 (d) Prohibit a person from operating an instructional wine-
16 making facility pursuant to NRS 597.245.

17 (e) Prohibit a person from operating a craft distillery pursuant to
18 NRS 597.235.

19 *(f) Prohibit a person from operating a winery pursuant to*
20 *NRS 597.240.*

21 **Sec. 2.** NRS 597.240 is hereby amended to read as follows:

22 597.240 1. A winery, ~~[located in a county whose population~~
23 ~~is 100,000 or less,]~~ if it is federally bonded, may:

24 (a) Import wine or juice from a bonded winery in another state,
25 to be fermented into wine or, if already fermented, to be mixed with
26 other wine or aged in a suitable cellar, or both.

27 (b) Sell at retail or serve by the glass, on its premises and at one
28 other location, wine produced, blended or aged by the winery. The
29 amount of wine sold at a location other than on the premises of the
30 winery may not exceed 50 percent of the total volume of the wine
31 sold by the winery.

32 (c) Serve by the glass, on its premises, any alcoholic beverage.

33 2. For the purposes of this section, an instructional wine-
34 making facility is not a winery. ~~[This section does not prohibit a~~
35 ~~person from operating an instructional wine-making facility in any~~
36 ~~county.]~~

