

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2467

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2467 would allow microbreweries to manufacture and distribute not more than 100,000 gallons of hard cider. Under current law, microbreweries may manufacture only beer.

The bill would define “hard cider” as any alcoholic beverage that:

- 1) Contains less than 8.5 percent alcohol by volume;
- 2) Has a carbonation level that does not exceed 6.4 grams per liter; and
- 3) Is obtained by the normal alcoholic fermentation of the juice of sound, ripe apples or pears, including such beverages containing sugar added for the purpose of correcting natural deficiencies.

The bill also would amend the definition of “wine” to include hard cider and any other product commonly known as a subset of wine.

The bill would be effective on January 1, 2017, and after publication in the statute book.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

At the hearing before the House Federal and State Affairs Committee, Representative Todd and a representative of the Kansas Craft Brewers Guild appeared in support of the bill and testified there is a demand for Kansas-made hard ciders.

The House Federal and State Affairs Committee amended the bill by amending the definition of wine in existing law to include hard cider and any other product commonly known as a subset of wine. The House Committee also changed the effective date of the bill to January 1, 2017, and after publication in the statute book.

The Interim Director of the Division of Alcoholic Beverage Control in the Department of Revenue appeared as neutral on the bill. The conferee testified about concerns relating to the status of farm wineries if the bill is enacted and technical concerns regarding definitions in federal law.

According to the fiscal note prepared by the Division of the Budget, the Department of Revenue estimates the bill has the potential to increase liquor enforcement and liquor excise taxes if a microbrewery does manufacture hard cider, but that any increase in revenue would be negligible.