

AMENDMENTS TO LB863

Introduced by General Affairs

1           1. Strike the original sections and insert the following  
2 new sections:

3           Sec. 23. Section 53-101, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5           53-101 Sections 53-101 to 53-1,122 and section 26 of this  
6 act shall be known and may be cited as the Nebraska Liquor Control  
7 Act.

8           Sec. 24. Section 53-103, Revised Statutes Cumulative  
9 Supplement, 2012, is amended to read:

10           53-103 For purposes of the Nebraska Liquor Control Act,  
11 the definitions found in sections 53-103.01 to 53-103.43 and  
12 section 26 of this act apply.

13           Sec. 25. Section 53-103.03, Revised Statutes Cumulative  
14 Supplement, 2012, is amended to read:

15           53-103.03 Beer means a beverage obtained by alcoholic  
16 fermentation of an infusion or concoction of barley or other grain,  
17 malt, and hops in water and includes, but is not limited to,  
18 beer, ale, stout, lager beer, porter, near beer, ~~and~~ flavored malt  
19 beverage, and hard cider.

20           Sec. 26. Hard cider means still wine derived (1)(a)(i)  
21 primarily from apples or apple concentrate and water such that  
22 apple juice, or the equivalent amount of concentrate reconstituted  
23 to the original brix of the juice prior to concentration,

1 represents more than fifty percent of the volume of the finished  
2 product and (ii) containing no other fruit product nor any  
3 artificial product which imparts a fruit flavor other than apple or  
4 (b) (i) primarily from pears or pear concentrate and water such that  
5 pear juice, or the equivalent amount of concentrate reconstituted  
6 to the original brix of the juice prior to concentration,  
7 represents more than fifty percent of the volume of the finished  
8 product and (ii) containing no other fruit product nor any  
9 artificial product which imparts a fruit flavor other than pear,  
10 (2) containing at least one-half of one percent and less than  
11 eight and one-half percent alcohol by volume, (3) having the taste,  
12 aroma, and characteristics generally attributed to hard cider, and  
13 (4) sold or offered for sale as hard cider.

14           Sec. 34. If any section in this act or any part of any  
15 section is declared invalid or unconstitutional, the declaration  
16 shall not affect the validity or constitutionality of the remaining  
17 portions.

18           Sec. 35. Original sections 53-101, 53-103, and 53-103.03,  
19 Revised Statutes Cumulative Supplement, 2012, are repealed.

20           Sec. 37. Since an emergency exists, this act takes effect  
21 when passed and approved according to law.