

105TH CONGRESS  
2D SESSION

# S. 2415

To amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

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IN THE SENATE OF THE UNITED STATES

JULY 31, 1998

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. REPEAL OF 1990 TAX INCREASE ON BEER.**

4           (a) IN GENERAL.—Paragraph (1) of section 5051(a)  
5       of the Internal Revenue Code of 1986 (relating to imposi-  
6       tion and rate of tax on beer) is amended by striking “\$18”  
7       and inserting “\$9”.

8           (b) FLOOR STOCK REFUNDS.—

9               (1) IN GENERAL.—If—

1 (A) before the date of the enactment of  
2 this Act, tax has been imposed under section  
3 5051 of the Internal Revenue Code of 1986 on  
4 any beer, and

5 (B) on such date such beer is held by a  
6 dealer and has not been used and is intended  
7 for sale,

8 there shall be credited or refunded (without interest)  
9 to the person who paid such tax (hereafter in this  
10 subsection referred to as the “taxpayer”) an amount  
11 equal to the excess of the tax paid by the taxpayer  
12 over the amount of such tax which would be imposed  
13 on such beer had the taxable event occurred on such  
14 date.

15 (2) TIME FOR FILING CLAIMS.—No credit or re-  
16 fund shall be allowed or made under this subsection  
17 unless—

18 (A) claim therefor is filed with the Sec-  
19 retary of the Treasury before the date which is  
20 6 months after the date of the enactment of  
21 this Act, and

22 (B) in any case where beer is held by a  
23 dealer (other than the taxpayer) on such enact-  
24 ment date—

1 (i) the dealer submits a request for re-  
2 fund or credit to the taxpayer before the  
3 date which is 3 months after such enact-  
4 ment date, and

5 (ii) the taxpayer has repaid or agreed  
6 to repay the amount so claimed to such  
7 dealer or has obtained the written consent  
8 of such dealer to the allowance of the cred-  
9 it or the making of the refund.

10 (3) DEALER.—For purposes of this subsection,  
11 the terms “dealer” and “held by a dealer” have the  
12 respective meanings given to such terms by section  
13 6412 of such Code.

14 (4) CERTAIN RULES TO APPLY.—Rules similar  
15 to the rules of subsections (b) and (c) of section  
16 6412 of such Code shall apply for purposes of this  
17 subsection.

18 (c) EFFECTIVE DATE.—The amendment made by  
19 subsection (a) shall take effect on the date of the enact-  
20 ment of this Act.

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