H. R. ___

To amend the Small Business Act to include certain beverage manufacturing entities for paycheck protection program second draw loans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. Wexton introduced the following bill; which was referred to the Committee on ____________________________

A BILL

To amend the Small Business Act to include certain beverage manufacturing entities for paycheck protection program second draw loans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness for Craft Beverage Producers Act”.

(Original Signature of Member)
SEC. 2. INCLUSION OF CERTAIN BEVERAGE MANUFACTURING ENTITIES FOR PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.

(a) IN GENERAL.—Section 7(a)(37)(C)(iv) of the Small Business Act (as added by section 311 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116–260)) is amended—

(1) in the heading, by striking “NAICS 72” and inserting “CERTAIN NAICS”; and

(2) by inserting “, or assigned such a code beginning with 3121 that also derived at least 35 percent of gross annual revenue during either calendar year 2019 or 2020 from in-person sales of products,” after “72”.

(b) SUBSIDY FOR CERTAIN LOAN PAYMENTS.—Section 1112(c)(1) of the CARES Act (as added by section 325 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116–260)) is amended—

(1) in subparagraph (A)(ii)(I)(bb), by inserting “, or assigned such a code beginning with 3121 that also derived at least 35 percent of gross annual revenue during either calendar year 2019 or 2020 from in-person sales of products” after “812”; and

(2) in subparagraph (B)(ii)(I)(bb), by inserting “, or assigned such a code beginning with 3121 that
also derived at least 35 percent of gross annual revenue during either calendar year 2019 or 2020 from in-person sales of products” after “812”.

(c) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this Act shall be effective as if included in the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116–260) and shall apply to any loan made pursuant to section 7(a)(37) of the Small Business Act or any covered loan made under section 1112 of the CARES Act (15 U.S.C. 9011) before, on, or after the date of enactment of this Act, including forgiveness of such a loan.

(2) EXCLUSION OF LOANS ALREADY FORGIVEN.—The amendments made by subsection (a) shall not apply to a loan made pursuant to section 7(a)(37) of the Small Business Act or any covered loan made under section 1112 of the CARES Act (15 U.S.C. 9011) for which the borrower received forgiveness before the date of enactment of this Act.