

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 486

Introduced by Schilz, 47.

Read first time January 20, 2015

Committee:

- 1 A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
- 2 sections 53-101 and 53-123.14, Revised Statutes Cumulative
- 3 Supplement, 2014; to provide for a limited bottling endorsement; to
- 4 harmonize provisions; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 53-101 Sections 53-101 to 53-1,122 and section 2 of this act shall
4 be known and may be cited as the Nebraska Liquor Control Act.

5 Sec. 2. (1) The holder of a Class C license or a craft brewery
6 license may obtain a limited bottling endorsement for such license as
7 prescribed in this section. The endorsement shall be issued for the same
8 period and may be renewed in the same manner as the retail license or
9 craft brewery license. A limited bottling endorsement may not be used in
10 conjunction with a special designated license.

11 (2) A licensee desiring to obtain a limited bottling endorsement for
12 a license shall file with the commission an application upon such forms
13 as the commission prescribes and a fee of three hundred dollars payable
14 to the commission.

15 (3) The holder of a limited bottling endorsement may sell beer for
16 consumption off the licensed premises in sealed containers filled as
17 provided in this subsection if:

18 (a) The sale occurs on the licensed premises of the licensee during
19 the hours the licensee is authorized to sell beer;

20 (b) The licensee uses sanitary containers purchased by the customer
21 from the licensee or exchanged for containers previously purchased by the
22 customer from the licensee. The containers shall prominently display the
23 endorsement holder's trade name or logo or some other mark that is unique
24 to the endorsement holder and shall hold no more than sixty-eight ounces;

25 (c) The licensee seals the container in a manner designed so that it
26 is visibly apparent whether the sealed container has been tampered with
27 or opened or seals the container and places the container in a bag
28 designed so that it is visibly apparent whether the sealed container has
29 been tampered with or opened; and

30 (d) The licensee provides a dated receipt to the customer and
31 attaches a copy of the dated receipt to the sealed container or, if the

1 sealed container is placed in a bag, to the bag.

2 Sec. 3. Section 53-123.14, Revised Statutes Cumulative Supplement,
3 2014, is amended to read:

4 53-123.14 Any person who operates a craft brewery shall obtain a
5 license pursuant to the Nebraska Liquor Control Act. A license to operate
6 a craft brewery shall permit a brewpub or microbrewery to produce on the
7 craft brewery premises a maximum of twenty thousand barrels of beer per
8 year. A craft brewery may also sell to beer wholesalers for sale and
9 distribution to licensed retailers. A craft brewery license issued
10 pursuant to this section shall be the only license required by the
11 Nebraska Liquor Control Act for the manufacture and retail sale of beer
12 for consumption on or off the licensed premises, except that the sale of
13 any beer other than beer manufactured by the craft brewery licensee,
14 wine, or alcoholic liquor by the drink for consumption on the craft
15 brewery premises shall require the appropriate retail license. Any
16 license held by the operator of a craft brewery shall be subject to the
17 act. A holder of a craft brewery license may obtain an annual catering
18 license pursuant to section 53-124.12, a special designated license
19 pursuant to section 53-124.11, ~~or~~ an entertainment district license
20 pursuant to section 53-123.17, or a limited bottling endorsement for the
21 craft brewery license pursuant to section 2 of this act.

22 Sec. 4. Original sections 53-101 and 53-123.14, Revised Statutes
23 Cumulative Supplement, 2014, are repealed.