

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 888

Introduced by Murante, 49; Karpisek, 32.

Read first time January 14, 2014

Committee:

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-179, Revised Statutes Cumulative Supplement,
3 2012; to provide authority to change the hours for sales
4 of alcoholic liquor; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-179, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 53-179 (1) No alcoholic liquor, including beer, shall be
4 sold at retail or dispensed on any day between the hours of 1 a.m.
5 and 6 a.m., except that the local governing body of any city or
6 village with respect to area inside the corporate limits of such city
7 or village, or the county board with respect to area outside the
8 corporate limits of any city or village, may by ordinance or
9 resolution (a) require closing prior to 1 a.m. on any day, ~~or~~ (b) if
10 adopted by a vote of at least two-thirds of the members of such local
11 governing body or county board, permit retail sale or dispensing of
12 alcoholic liquor for consumption on the premises, excluding sales for
13 consumption off the premises, later than 1 a.m. and prior to 2 a.m.
14 on any day, (c) if adopted by a vote of at least two-thirds of the
15 members of such local governing body or county board, permit retail
16 sale of alcoholic liquor for consumption off the premises later than
17 1 a.m. and prior to 2 a.m. on any day, or (d) if adopted by a vote of
18 at least two-thirds of the members of such local governing body or
19 county board, permit retail sale or dispensing of alcoholic liquor
20 for consumption on the premises, excluding sales for consumption off
21 the premises, and permit retail sale of alcoholic liquor for
22 consumption off the premises later than 1 a.m. and prior to 2 a.m. on
23 any day.

24 (2) Except as provided for and allowed by ordinance of a
25 local governing body applicable to area inside the corporate limits

1 of a city or village or by resolution of a county board applicable to
2 area inside such county and outside the corporate limits of any city
3 or village, no alcoholic liquor, including beer, shall be sold at
4 retail or dispensed between the hours of 6 a.m. Sunday and 1 a.m.
5 Monday. This subsection shall not apply after 12 noon on Sunday to a
6 licensee which is a nonprofit corporation and the holder of a Class C
7 license or a Class I license.

8 (3) It shall be unlawful on property licensed to sell
9 alcoholic liquor at retail to allow alcoholic liquor in open
10 containers to remain or be in possession or control of any person for
11 purposes of consumption between the hours of fifteen minutes after
12 the closing hour applicable to the licensed premises and 6 a.m. on
13 any day.

14 (4) Nothing in this section shall prohibit licensed
15 premises from being open for other business on days and hours during
16 which the sale or dispensing of alcoholic liquor is prohibited by
17 this section.

18 Sec. 2. Original section 53-179, Revised Statutes
19 Cumulative Supplement, 2012, is repealed.