

LEGISLATIVE BILL 431

Approved by the Governor March 2, 1982

Introduced by Newell, 13

AN ACT to amend section 53-123.01, Reissue Revised Statutes of Nebraska, 1943, and section 53-123.02, Revised Statutes Supplement, 1980, relating to liquors; to authorize samples of beer and alcoholic liquors as prescribed; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 53-123.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-123.01. A manufacturer's license shall allow the manufacture, storage, and sale of alcoholic liquors, including the wholesale distribution of beer, to licensees in this state and to such persons without the state as may be permitted by law, except that nothing in Chapter 53, article 1, shall prohibit a manufacturer of beer from distributing tax paid samples of beer at the premises of a licensed manufacturer for consumption on the premises.

Sec. 2. That section 53-123.02, Revised Statutes Supplement, 1980, be amended to read as follows:

53-123.02. An alcoholic liquor distributor's license (except beer) shall (1) allow the wholesale purchase, importation, and storage of alcoholic liquors and sale of alcoholic liquors (except beer) to licensees in this state and to such persons without the state as may be permitted by law, ~~and shall~~ (2) permit the purchase of such alcoholic liquor in barrels, casks, or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped, and otherwise made to comply with all provisions, rules, and regulations governing manufacturers in the preparation and bottling of alcoholic liquors and comply with all federal rules, regulations, and laws, and (3) allow the sampling of tax paid alcoholic liquors (except beer) upon the premises of the licensed distributor by a licensed retailer when approved by and in the manner prescribed by the commission. Such sampling shall be limited to such persons licensed as distributors and retailers and their employees and agents.

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Sec. 3. That original section 53-123.01, Reissue Revised Statutes of Nebraska, 1943, and section 53-123.02, Revised Statutes Supplement, 1980, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.