

LEGISLATIVE BILL 561

Approved by the Governor April 22, 1993

Introduced by Schellpeper, 18

AN ACT relating to alcoholic liquor; to amend section 53-180.07, Revised Statutes Supplement, 1992; to change provisions relating to the defense to the charge of selling to a minor; and to repeal the original section.

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

Section 1. That section 53-180.07, Revised Statutes Supplement, 1992, be amended to read as follows:

53-180.07. In any prosecution of or any proceeding against any licensee charged with having made a sale to a minor, proof of the following shall be an absolute defense to the charge:

(1)(a) The purchaser falsely represented in writing and supported with other documentary proof that he or she was of legal age to purchase alcoholic liquor;

(b) The appearance of such purchaser was such that an ordinary and prudent person would believe that such appearance conformed to any documentary description of appearance presented by the purchaser; and

(c) The ~~sale was made~~ seller was acting in good faith, in reliance upon the written representation, other documentary evidence, and the appearance of the purchaser, and in the belief the purchaser was of legal age to make such purchase; or

(2) The ~~sale was made~~ seller was acting with the knowledge of and in cooperation with a duly authorized law enforcement officer.

Sec. 2. That original section 53-180.07, Revised Statutes Supplement, 1992, is repealed.