

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 913**

Introduced by Hilgert, 7

Read first time January 5, 2000

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend  
2 section 53-168, Reissue Revised Statutes of Nebraska; to  
3 eliminate a restriction relating to the purchase of beer  
4 by retail licensees; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 53-168, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   53-168. (1) It shall be unlawful for ~~any person having a~~  
4 ~~retail license to sell beer to accept credit for the purchase of~~  
5 ~~beer from any manufacturer or wholesaler of beer and for any person~~  
6 having a retail license to sell alcoholic liquor or any officer,  
7 associate, member, representative, or agent of such licensee to  
8 accept, receive, or borrow money or anything else of value or to  
9 accept or to receive credit, other than merchandising credit in the  
10 ordinary course of business for a period not to exceed thirty days,  
11 directly or indirectly, from (a) any person, partnership, limited  
12 liability company, or corporation engaged in manufacturing or  
13 wholesaling such liquor, (b) any person connected with or in any  
14 way representing such manufacturer or wholesaler, (c) any member of  
15 the family of such manufacturer or wholesaler, (d) any stockholders  
16 in any corporation engaged in manufacturing or wholesaling such  
17 liquor, or (e) any officer, manager, agent, member, or  
18 representative of such manufacturer or wholesaler.

19                   (2) It shall be unlawful for any manufacturer or  
20 wholesaler to give or lend money or otherwise loan or extend  
21 credit, except the merchandising credit referred to in subsection  
22 (1) of this section, directly or indirectly, to any such licensee  
23 or to the manager, representative, agent, member, officer, or  
24 director of such licensee. It shall be unlawful for any wholesaler  
25 to participate in any manner in a merchandising and coupon plan of  
26 any manufacturer involving alcoholic liquor and the redemption in  
27 cash. The redemption of any merchandising and coupon plan  
28 involving cash shall be made by the manufacturer to the consumer.

1           (3) If any holder of a license to sell alcoholic liquor  
2 at retail or wholesale violates subsection (1) or (2) of this  
3 section, such license shall be suspended or revoked by the  
4 commission in the manner provided by the Nebraska Liquor Control  
5 Act.

6           (4) It shall not be a violation of subsection (1) or (2)  
7 of this section for a manufacturer or wholesaler to sell or provide  
8 alcoholic liquor exclusively or in minimum quantities in containers  
9 bearing a private label or to sell or provide alcoholic liquor in  
10 containers bearing a generic label to a wholesaler, retailer, or  
11 bottle club licensee.

12           (5) It shall not be a violation of subsection (1) or (2)  
13 of this section for a wholesaler, retailer, or bottle club licensee  
14 to accept or purchase from a manufacturer or wholesaler alcoholic  
15 liquor exclusively or in minimum quantities in containers bearing a  
16 private label or for a wholesaler, retailer, or bottle club  
17 licensee to accept or purchase from a manufacturer or wholesaler  
18 alcoholic liquor in containers bearing a generic label.

19           Sec. 2. Original section 53-168, Reissue Revised  
20 Statutes of Nebraska, is repealed.