

AMENDMENTS TO LB863

Introduced by General Affairs

1 1. Strike the original sections and insert the following
2 new sections:

3 Sec. 23. Section 53-101, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 53-101 Sections 53-101 to 53-1,122 and section 28 of this
6 act shall be known and may be cited as the Nebraska Liquor Control
7 Act.

8 Sec. 28. (1) The holder of a Class C license or a
9 craft brewery license may obtain a limited bottling endorsement
10 for such license as prescribed in this section. The endorsement
11 shall be issued for the same period and may be renewed in the same
12 manner as the retail license or craft brewery license. A limited
13 bottling endorsement may not be used in conjunction with a special
14 designated license.

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

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

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

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

7 (c) The licensee seals the container in a manner designed
8 so that it is visibly apparent whether the sealed container has
9 been tampered with or opened or seals the container and places the
10 container in a bag designed so that it is visibly apparent whether
11 the sealed container has been tampered with or opened; and

12 (d) The licensee provides a dated receipt to the customer
13 and attaches a copy of the dated receipt to the sealed container
14 or, if the sealed container is placed in a bag, to the bag.

15 Sec. 29. Section 53-123.14, Revised Statutes Cumulative
16 Supplement, 2012, is amended to read:

17 53-123.14 Any person who operates a craft brewery shall
18 obtain a license pursuant to the Nebraska Liquor Control Act.
19 A license to operate a craft brewery shall permit a brewpub or
20 microbrewery to produce on the craft brewery premises a maximum
21 of twenty thousand barrels of beer per year. A craft brewery
22 may also sell to beer wholesalers for sale and distribution to
23 licensed retailers. A craft brewery license issued pursuant to
24 this section shall be the only license required by the Nebraska
25 Liquor Control Act for the manufacture and retail sale of beer
26 for consumption on or off the licensed premises, except that the
27 sale of any beer other than beer manufactured by the craft brewery

1 licensee, wine, or alcoholic liquor by the drink for consumption
2 on the craft brewery premises shall require the appropriate retail
3 license. Any license held by the operator of a craft brewery shall
4 be subject to the act. A holder of a craft brewery license may
5 obtain an annual catering license pursuant to section 53-124.12,
6 a special designated license pursuant to section 53-124.11, ~~or~~ an
7 entertainment district license pursuant to section 53-123.17, or a
8 limited bottling endorsement for the craft brewery license pursuant
9 to section 28 of this act.

10 Sec. 34. If any section in this act or any part of any
11 section is declared invalid or unconstitutional, the declaration
12 shall not affect the validity or constitutionality of the remaining
13 portions.

14 Sec. 35. Original sections 53-101 and 53-123.14, Revised
15 Statutes Cumulative Supplement, 2012, are repealed.

16 Sec. 37. Since an emergency exists, this act takes effect
17 when passed and approved according to law.