

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 415

Introduced by Groene, 42.

Read first time January 14, 2021

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
- 2 section 53-103.22, Reissue Revised Statutes of Nebraska, and section
- 3 53-123.16, Revised Statutes Cumulative Supplement, 2020; to redefine
- 4 a term; to increase the annual gallon limit for microdistilleries;
- 5 and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-103.22, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 53-103.22 Microdistillery means a distillery located in Nebraska
4 that is licensed to distill liquor on the premises of the distillery
5 licensee and produces one hundred ~~ten~~ thousand or fewer gallons of liquor
6 annually.

7 Sec. 2. Section 53-123.16, Revised Statutes Cumulative Supplement,
8 2020, is amended to read:

9 53-123.16 Any person who operates a microdistillery shall obtain a
10 license pursuant to the Nebraska Liquor Control Act. A license to operate
11 a microdistillery shall permit the licensee to produce on the premises a
12 maximum of one hundred ~~ten~~ thousand gallons of liquor per year. A
13 microdistillery may also sell to licensed wholesalers for sale and
14 distribution to licensed retailers. A microdistillery license issued
15 pursuant to this section shall be the only license required by the
16 Nebraska Liquor Control Act for the manufacture and retail sale of
17 microdistilled product for consumption on or off the licensed premises,
18 except that the sale of any beer, wine, or alcoholic liquor, other than
19 microdistilled product manufactured by the microdistillery licensee, by
20 the drink for consumption on the microdistillery premises shall require
21 the appropriate retail license. Any license held by the operator of a
22 microdistillery shall be subject to the act. A holder of a
23 microdistillery license may obtain an annual catering license pursuant to
24 section 53-124.12, a special designated license pursuant to section
25 53-124.11, or an entertainment district license pursuant to section
26 53-123.17. The commission may, upon the conditions it determines, grant
27 to any microdistillery licensed under this section a special license
28 authorizing the microdistillery to purchase and to import, from such
29 persons as are entitled to sell the same, wines or spirits to be used
30 solely as ingredients and for the sole purpose of blending with and
31 flavoring microdistillery products as a part of the microdistillation

1 process.

2 Sec. 3. Original section 53-103.22, Reissue Revised Statutes of
3 Nebraska, and section 53-123.16, Revised Statutes Cumulative Supplement,
4 2020, are repealed.