

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 294**

Introduced by Karpisek, 32.

Read first time January 12, 2011

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend  
2 section 53-179, Reissue Revised Statutes of Nebraska; to  
3 prohibit sales during certain hours to persons who are  
4 twenty-one years old; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 53-179, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   53-179 (1) No alcoholic liquor, including beer, shall be  
4 sold at retail or dispensed on any day between the hours of 1 a.m.  
5 and 6 a.m., except that the local governing body of any city or  
6 village with respect to area inside the corporate limits of such city  
7 or village, or the county board with respect to area outside the  
8 corporate limits of any city or village, may by ordinance or  
9 resolution (a) require closing prior to 1 a.m. on any day or (b) if  
10 adopted by a vote of at least two-thirds of the members of such local  
11 governing body or county board, permit retail sale or dispensing of  
12 alcoholic liquor for consumption on the premises, excluding sales for  
13 consumption off the premises, later than 1 a.m. and prior to 2 a.m.  
14 on any day.

15                   (2) Except as provided for and allowed by ordinance of a  
16 local governing body applicable to area inside the corporate limits  
17 of a city or village or by resolution of a county board applicable to  
18 area inside such county and outside the corporate limits of any city  
19 or village, no alcoholic liquor, including beer, shall be sold at  
20 retail or dispensed between the hours of 6 a.m. Sunday and 1 a.m.  
21 Monday. No ordinance or resolution allowed by this subsection shall  
22 permit alcoholic liquor, other than beer and wine, to be sold at  
23 retail or dispensed between the hours of 6 a.m. Sunday and 12 noon  
24 Sunday. This subsection shall not apply after 12 noon on Sunday to a  
25 licensee which is a nonprofit corporation and the holder of a Class C

1 license or a Class I license.

2 (3) It shall be unlawful on property licensed to sell  
3 alcoholic liquor at retail to allow alcoholic liquor in open  
4 containers to remain or be in possession or control of any person for  
5 purposes of consumption between the hours of fifteen minutes after  
6 the closing hour applicable to the licensed premises and 6 a.m. on  
7 any day. It shall be unlawful for a licensee licensed to sell  
8 alcoholic liquor at retail to sell or serve alcoholic liquor to any  
9 person prior to 6 a.m. on such person's twenty-first birthday.

10 (4) Nothing in this section shall prohibit licensed  
11 premises from being open for other business on days and hours during  
12 which the sale or dispensing of alcoholic liquor is prohibited by  
13 this section.

14 Sec. 2. Original section 53-179, Reissue Revised Statutes  
15 of Nebraska, is repealed.