

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 258

Introduced by Lathrop, 12; Kruse, 13; Nelson, 6;

Read first time January 10, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to
2 amend sections 53-180.04 and 53-180.05, Reissue Revised
3 Statutes of Nebraska; to provide and change penalties;
4 to provide for license suspension for minors' violations;
5 to harmonize provisions; and to repeal the original
6 sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-180.04, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 53-180.04 Every licensee of a place where alcoholic
4 liquor is sold at retail shall display at all times in a prominent
5 place a printed card with a minimum height of twenty inches and
6 a width of fourteen inches, with each letter to be a minimum of
7 one-fourth inch in height, which shall read as follows:

8 WARNING TO PERSONS UNDER 21

9 YOU ARE SUBJECT TO

10 NOTIFICATION OF PARENTS OR GUARDIAN

11 AND

12 YOU ARE SUBJECT TO A PENALTY OF UP TO

13 \$500 FINE

14 3 MONTHS IN JAIL

15 OR BOTH ~~IF YOU ARE UNDER 21 AND YOU CONSUME,~~

16 AND POSSIBLE IMPOUNDMENT OF

17 YOUR DRIVER'S LICENSE

18 IF YOU ARE UNDER 21 AND YOU CONSUME,

19 PURCHASE, ATTEMPT TO PURCHASE,

20 OR HAVE IN YOUR POSSESSION

21 ALCOHOLIC LIQUOR IN THIS ESTABLISHMENT

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AND

WARNING TO ADULTS

YOU ARE SUBJECT TO A PENALTY OF UP TO

\$1000 FINE

1 YEAR IN JAIL

OR BOTH

IF YOU ARE 21 OR OVER AND YOU PURCHASE

ALCOHOLIC LIQUOR

FOR A PERSON UNDER 21

AND

WARNING TO PURCHASERS OF BEER KEGS

PROPER IDENTIFICATION AND PURCHASER'S SIGNATURE

ARE REQUIRED

LAWS OF THE STATE OF NEBRASKA

Sec. 2. Section 53-180.05, Reissue Revised Statutes of
Nebraska, is amended to read:

53-180.05 (1) Any person violating section 53-180 shall
be guilty of a Class I misdemeanor. Any person violating any of the
provisions of sections 53-180.01 to 53-180.03 shall be guilty of a
Class III misdemeanor.

(2) In addition to the penalties described in subsection

1 (1) of this section, any person violating section 53-180.01 or
2 53-180.02 shall be subject to the impoundment of his or her
3 operator's license, as defined in section 60-470.01, for the
4 following time periods: (a) For the first violation, impoundment
5 for a period of not less than sixty days and not more than six
6 months; (b) for a second violation, impoundment for a period of
7 twelve months; and (c) for a third and any subsequent violation,
8 impoundment for a period of two years or until the violator reaches
9 twenty-one years of age, whichever occurs later.

10 ~~(2)~~ (3) Any person who knowingly manufactures, creates,
11 or alters any form of identification for the purpose of sale or
12 delivery of such form of identification to a person under the age
13 of twenty-one years shall be guilty of a Class I misdemeanor. For
14 purposes of this subsection, form of identification means any card,
15 paper, or legal document that may be used to establish the age of
16 the person named thereon for the purpose of purchasing alcoholic
17 liquor.

18 ~~(3)~~ (4) When a minor is arrested for a violation of
19 sections 53-180 to 53-180.02 or subsection ~~(2)~~ (3) of this section,
20 the law enforcement agency employing the arresting peace officer
21 shall make a reasonable attempt to notify such minor's parent or
22 guardian of the arrest.

23 Sec. 3. Original sections 53-180.04 and 53-180.05,
24 Reissue Revised Statutes of Nebraska, are repealed.