

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 232

FINAL READING

Introduced by Nordquist, 7; Cook, 13; Council, 11; Karpisek, 32;
Rogert, 16.

Read first time January 13, 2009

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-177, Reissue Revised Statutes of Nebraska, and
3 section 53-101, Revised Statutes Cumulative Supplement,
4 2008; to permit the sale of alcoholic liquor by community
5 college culinary education programs as prescribed;
6 to harmonize provisions; and to repeal the original
7 sections.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-101, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 53-101 Sections 53-101 to 53-1,122 and section 2 of this
4 act shall be known and may be cited as the Nebraska Liquor Control
5 Act.

6 Sec. 2. A community college which offers a culinary
7 education program may obtain a catering license under this section
8 upon applying for and receiving a Class I license under the
9 Nebraska Liquor Control Act. The catering license shall be issued
10 for the same period and may be renewed in the same manner as the
11 Class I license.

12 A community college holding a catering license and a
13 Class I license under the act may sell alcoholic beverages only (1)
14 at events held by such culinary education program on the campus of
15 the community college or (2) at events catered by such culinary
16 education program as part of the requirements of such program.

17 Sec. 3. Section 53-177, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 53-177 (1) No license shall be issued for the sale at
20 retail of any alcoholic liquor within one hundred and fifty feet of
21 any church, school, hospital, or home for aged or indigent persons
22 or for veterans, their wives or children. This prohibition does not
23 apply (a) to any location within such distance of one hundred and
24 fifty feet for which a license to sell alcoholic liquor at retail
25 has been granted by the Nebraska Liquor Control Commission for two

1 years continuously prior to making of application for license and
2 (b) to hotels offering restaurant service, to regularly organized
3 clubs, or to restaurants, food shops, or other places where sale of
4 alcoholic liquor is not the principal business carried on, if such
5 place of business so exempted was established for such purposes
6 prior to May 24, 1935.

7 (2) No alcoholic liquor, other than beer, shall be sold
8 for consumption on the premises within three hundred feet from the
9 campus of any college or university in the state, except that this
10 section:

11 (a) Does ~~does~~ not prohibit a nonpublic college or
12 university from contracting with an individual or corporation
13 holding a license to sell alcoholic liquor at retail for the
14 purpose of selling alcoholic liquor at retail on the campus of
15 such college or university at events sanctioned by such college
16 or university but does prohibit the sale of alcoholic liquor at
17 retail by such licensee on the campus of such nonpublic college or
18 university at student activities or events; and-

19 (b) Does not prohibit sales of alcoholic liquor by a
20 community college culinary education program pursuant to section 2
21 of this act.

22 Sec. 4. Original section 53-177, Reissue Revised Statutes
23 of Nebraska, and section 53-101, Revised Statutes Cumulative
24 Supplement, 2008, are repealed.