

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 829

Introduced by Louden, 49; Cook, 13; Council, 11; Harms, 48; Krist,
10; Wallman, 30.

Read first time January 05, 2012

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-103, Reissue Revised Statutes of Nebraska, and
3 section 53-101, Revised Statutes Supplement, 2011; to
4 define a term; to provide for alcohol impact zones; to
5 provide duties for the commission; to harmonize
6 provisions; and to repeal the original sections.

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

1 Section 1. Section 53-101, Revised Statutes Supplement,
2 2011, is amended to read:

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

6 Sec. 2. Section 53-103, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 53-103 For purposes of the Nebraska Liquor Control Act,
9 the definitions found in sections 53-103.01 to 53-103.42 and section
10 3 of this act apply.

11 Sec. 3. Alcohol impact zone means a geographic area that
12 is located within a city, a village, or the unincorporated area of a
13 county and that is adversely affected by chronic public inebriation
14 or illegal activity associated with sales or consumption of alcoholic
15 liquor.

16 Sec. 4. A city council, village board, or board of county
17 commissioners may apply to the commission for the creation of an
18 alcohol impact zone. The application shall include a description of
19 the issue which is the basis for the request to create an alcohol
20 impact zone as well as a geographical description of the area of the
21 city, village, or unincorporated area of the county to be included in
22 the zone, which area shall be as narrowly defined as possible in
23 order to address the issue described in the application. The
24 commission may require additional information from the applicant,
25 licensees in the area described in the application, or other

1 interested parties. The commission shall hold a public hearing on the
2 application before deciding whether or not to create the alcohol
3 impact zone described in the application.

4 Sec. 5. The commission may place special conditions or
5 restrictions on a licensee under the Nebraska Liquor Control Act
6 having an establishment or otherwise conducting business within an
7 alcohol impact zone to discourage chronic public inebriation or
8 illegal activity associated with sales or consumption of alcoholic
9 liquor. The commission may adopt and promulgate rules and regulations
10 to carry out this section.

11 Sec. 6. Original section 53-103, Reissue Revised Statutes
12 of Nebraska, and section 53-101, Revised Statutes Supplement, 2011,
13 are repealed.