

AMENDMENTS TO LB863

Introduced by General Affairs

1 1. Strike the original sections and insert the following
2 new sections:

3 Sec. 30. Section 53-179, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

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

1 and permit retail sale of alcoholic liquor for consumption off the
2 premises later than 1 a.m. and prior to 2 a.m. on any day.

3 (2) Except as provided for and allowed by ordinance of a
4 local governing body applicable to area inside the corporate limits
5 of a city or village or by resolution of a county board applicable
6 to area inside such county and outside the corporate limits of
7 any city or village, no alcoholic liquor, including beer, shall
8 be sold at retail or dispensed between the hours of 6 a.m. Sunday
9 and 1 a.m. Monday. This subsection shall not apply after 12 noon
10 on Sunday to a licensee which is a nonprofit corporation and the
11 holder of a Class C license or a Class I license.

12 (3) It shall be unlawful on property licensed to sell
13 alcoholic liquor at retail to allow alcoholic liquor in open
14 containers to remain or be in possession or control of any person
15 for purposes of consumption between the hours of fifteen minutes
16 after the closing hour applicable to the licensed premises and 6
17 a.m. on any day.

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

22 Sec. 34. If any section in this act or any part of any
23 section is declared invalid or unconstitutional, the declaration
24 shall not affect the validity or constitutionality of the remaining
25 portions.

26 Sec. 35. Original section 53-179, Revised Statutes
27 Cumulative Supplement, 2012, is repealed.

1 Sec. 37. Since an emergency exists, this act takes effect
2 when passed and approved according to law.