

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB413

Hearing Date: Monday February 04, 2013
Committee On: General Affairs
Introducer: Schumacher
One Liner: Change license violation provisions under the Nebraska Liquor Control Act

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye: 8 Senators Bloomfield, Coash, Johnson, Karpisek, Krist, Lautenbaugh,
Murante, Schilz

Nay:

Absent:

Present Not Voting:

Proponents:

Sen. Paul Schumacher
Jim Moylan
Kathy Siefken

Representing:

Introducer
Nebraska Licensed Beverages Association
Nebraska Grocery Industry Association

Opponents:

Hobert Rupe
Nicole Carritt

Representing:

Nebraska Liquor Control Commission
Project Extra Mile

Neutral:

Representing:

Summary of purpose and/or changes:

Section 53-1,104(3)(a) and (b) spells out the penalties for multiple violations of 53-180 or 53-180.02 (selling to minors) that occurred within 4 years prior to a current violation.

Subsection (3)(a) states that the Liquor Control Commission may suspend a license for up to 48 hours for a second offense. Subsection (3)(b) states that for a third or subsequent suspension for violating 53-180 or 53-180.02 (selling to minors) during the last 4 years, the Liquor Control Commission may suspend a license for up to 15 days.

Under subsections (3)(a) and (3)(b), the licensee must serve the suspension and cannot pay a fine in lieu of the suspension as he/she could if it were a first offense.

LB 413 would require the Liquor Control Commission to treat every violation of 53-180 and 53-180.02 (selling to minors) if it is a result of a 53-1,222 compliance check as a first offense, which would allow the licensee to pay a fine in lieu of serving the suspension.

Russ Karpisek, Chairperson