

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 235**

FINAL READING

Introduced by Crawford, 45; Blood, 3; Hunt, 8.

Read first time January 14, 2019

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
- 2 section 53-168.06, Revised Statutes Cumulative Supplement, 2018; to
- 3 change provisions relating to prohibited acts; to change exceptions
- 4 for making and serving certain types of alcoholic liquor by
- 5 nonlicensed persons as prescribed; and to repeal the original
- 6 section.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-168.06, Revised Statutes Cumulative  
2 Supplement, 2018, is amended to read:

3 53-168.06 No person shall manufacture, bottle, blend, sell, barter,  
4 transport, deliver, furnish, or possess any alcoholic liquor for beverage  
5 purposes except as specifically provided in the Nebraska Liquor Control  
6 Act. Nothing in the act shall prevent:

7 (1) ~~The~~ the possession of alcoholic liquor legally obtained as  
8 provided in the act for the personal use of the possessor and his or her  
9 family and guests;

10 (2) ~~The~~ the making, ~~transport,~~ and ~~delivery~~ of wine, cider, ~~beer,~~  
11 ~~mead,~~ ~~perry,~~ or other alcoholic liquor by a person from fruits,  
12 vegetables, ~~honey,~~ or grains, or the product thereof, by simple  
13 fermentation and without distillation, (a) if made solely for the use of  
14 the maker and his or her family and guests if such alcoholic liquor is  
15 not sold or offered for sale, or (b) if made without a permit for an  
16 exhibition, festival, or tasting competition, including exhibitions,  
17 festivals, or tasting competitions that are for nonprofit organizations  
18 such as fundraising events, legally conducted under the act, if such  
19 alcoholic liquor is not sold or offered for sale. Alcoholic liquor served  
20 pursuant to this subdivision (b) shall clearly be identified as alcoholic  
21 liquor that was manufactured under an exception to the rules and  
22 regulations of the commission by signage, and the location of the  
23 manufacturer shall be available upon request. Free or reduced admission  
24 to the exhibition, festival, or tasting competition shall not be  
25 considered a sale of the alcoholic liquor;

26 (3) ~~Any~~ any duly licensed practicing physician or dentist from  
27 possessing or using alcoholic liquor in the strict practice of his or her  
28 profession, any hospital or other institution caring for the sick and  
29 diseased persons from possessing and using alcoholic liquor for the  
30 treatment of bona fide patients of such hospital or other institution, or  
31 any drug store employing a licensed pharmacist from possessing or using

1 alcoholic liquor in the compounding of prescriptions of licensed  
2 physicians;

3 (4) The ~~the~~ possession and dispensation of alcoholic liquor by an  
4 authorized representative of any religion on the premises of a place of  
5 worship, for the purpose of conducting any bona fide religious rite,  
6 ritual, or ceremony;

7 (5) Persons ~~persons~~ who are sixteen years old or older from carrying  
8 alcoholic liquor from licensed establishments when they are accompanied  
9 by a person not a minor;

10 (6) Persons ~~persons~~ who are sixteen years old or older from handling  
11 alcoholic liquor containers and alcoholic liquor in the course of their  
12 employment;

13 (7) Persons ~~persons~~ who are sixteen years old or older from removing  
14 and disposing of alcoholic liquor containers for the convenience of the  
15 employer and customers in the course of their employment;

16 (8) Persons ~~persons~~ who are sixteen years old or older from  
17 completing a transaction for the sale of alcoholic liquor in the course  
18 of their employment if they are not handling or serving alcoholic liquor;  
19 or

20 (9) Persons ~~persons~~ who are nineteen years old or older from serving  
21 or selling alcoholic liquor in the course of their employment.

22 Sec. 2. Original section 53-168.06, Revised Statutes Cumulative  
23 Supplement, 2018, is repealed.