

AMENDMENTS TO LB295

Introduced by General Affairs.

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

3 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

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

7 Sec. 2. Section 53-178.01, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 53-178.01 No licensee shall sell alcoholic liquor, including beer,
10 to any person for consumption off the licensed premises while such person
11 is in any manner within any motor vehicle unless the licensee has been
12 issued a motor vehicle sale endorsement as provided in section 3 of this
13 act. This section shall not apply to sales to handicapped persons in a
14 motor vehicle displaying a current handicapped license plate issued by
15 the Department of Motor Vehicles.

16 Sec. 3. (1) The holder of a retail license to sell alcoholic liquor
17 for consumption off the premises may obtain a motor vehicle sale
18 endorsement for such license to allow for the sale of alcoholic liquor,
19 including beer, to a person who is twenty-one years of age or older
20 within a motor vehicle as prescribed in this section.

21 (2) A licensee desiring to obtain a motor vehicle sale endorsement
22 shall file with the commission an application upon such forms as the
23 commission prescribes and a fee of fifty dollars payable to the
24 commission. The commission shall issue a motor vehicle sale endorsement
25 in the same manner as the licensee's retail license in accordance with
26 section 53-131. A motor vehicle sale endorsement may be issued for the
27 same period and may be renewed in the same manner as the licensee's

1 retail license.

2 (3) The holder of a motor vehicle sale endorsement may sell
3 alcoholic liquor, including beer, in its original package, to a person
4 within a motor vehicle, using a drive-through window or curbside pickup,
5 if:

6 (a) The sale occurs on the licensed premises of the licensee during
7 the hours the licensee is authorized to sell the alcoholic liquor or
8 beer; and

9 (b) The individual purchasing the alcoholic liquor or beer is
10 twenty-one years of age or older.

11 Sec. 4. Original section 53-178.01, Reissue Revised Statutes of
12 Nebraska, and section 53-101, Revised Statutes Cumulative Supplement,
13 2020, are repealed.