

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 948

Introduced by Karpisek, 32.

Read first time January 16, 2014

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-124.12, Revised Statutes Cumulative
3 Supplement, 2012; to change a fee for catering licenses;
4 and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-124.12, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 53-124.12 (1) The holder of a license to sell alcoholic
4 liquor at retail issued under subsection (6) of section 53-124, a
5 craft brewery license, a microdistillery license, or a farm winery
6 license may obtain an annual catering license as prescribed in this
7 section. The catering license shall be issued for the same period and
8 may be renewed in the same manner as the retail license, craft
9 brewery license, microdistillery license, or farm winery license.

10 (2) Any person desiring to obtain a catering license
11 shall file with the commission:

12 (a) An application in triplicate original upon such forms
13 as the commission prescribes; and

14 (b) A license fee of ~~one~~two hundred fifty dollars
15 payable to the commission, which fee shall be returned to the
16 applicant if the application is denied.

17 (3) When an application for a catering license is filed,
18 the commission shall notify the clerk of the city or incorporated
19 village in which such applicant is located or, if the applicant is
20 not located within a city or incorporated village, the county clerk
21 of the county in which such applicant is located, of the receipt of
22 the application. The commission shall include with such notice one
23 copy of the application by mail or electronic delivery. The local
24 governing body and the commission shall process the application in
25 the same manner as provided in section 53-132.

1 (4) The local governing body with respect to catering
2 licensees within its liquor license jurisdiction as provided in
3 subsection (5) of this section may cancel a catering license for
4 cause for the remainder of the period for which such catering license
5 is issued. Any person whose catering license is canceled may appeal
6 to the district court of the county in which the local governing body
7 is located.

8 (5) For purposes of this section, local governing body
9 means (a) the governing body of the city or village in which the
10 catering licensee is located or (b) if such licensee is not located
11 within a city or village, the governing body of the county in which
12 such licensee is located.

13 (6) The local governing body may impose an occupation tax
14 on the business of a catering licensee doing business within the
15 liquor license jurisdiction of the local governing body as provided
16 in subsection (5) of this section. Such tax may not exceed double the
17 license fee to be paid under this section.

18 Sec. 2. Original section 53-124.12, Revised Statutes
19 Cumulative Supplement, 2012, is repealed.