

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1236

Introduced by Lowe, 37.

Read first time January 20, 2022

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
- 2 section 53-123.14, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to the rights of a craft brewery licensee; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-123.14, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 53-123.14 (1) Any person who operates a craft brewery shall obtain
4 a license pursuant to the Nebraska Liquor Control Act. A license to
5 operate a craft brewery shall permit the production of a maximum of
6 twenty thousand barrels of beer per year in the aggregate from all
7 physical locations comprising the licensed premises. A craft brewery may
8 also sell to beer wholesalers for sale and distribution to licensed
9 retailers. A craft brewery license issued pursuant to this section shall
10 be the only license required by the Nebraska Liquor Control Act for the
11 manufacture and retail sale of beer for consumption on or off the
12 licensed premises, except that the sale of any beer other than beer
13 manufactured by the craft brewery licensee, wine, or alcoholic liquor by
14 the drink for consumption on the licensed premises shall require the
15 appropriate retail license. Any license held by the operator of a craft
16 brewery shall be subject to the act. A holder of a craft brewery license
17 may obtain an annual catering license pursuant to section 53-124.12, a
18 special designated license pursuant to section 53-124.11, an
19 entertainment district license pursuant to section 53-123.17, or a
20 promotional farmers market special designated license pursuant to section
21 53-124.16. For purposes of this section, licensed premises may include up
22 to five separate physical locations.

23 (2) Notwithstanding any other provision of the Nebraska Liquor
24 Control Act, a holder of a craft brewery license may directly sell or re-
25 sell up to XXX barrels per calendar year of beer produced at its licensed
26 premises directly to off-premises sites located in the State of Nebraska
27 which hold the appropriate retail license.

28 (3) A holder of a craft brewery license may store and warehouse
29 products produced on such licensee's licensed premises in a designated,
30 secure, offsite storage facility if the holder of the craft brewery
31 license notifies the commission of the location of the storage facility

1 and maintains, at the craft brewery and at the storage facility, a
2 separate perpetual inventory of the product stored at the storage
3 facility. Consumption of alcoholic liquor at the storage facility is
4 strictly prohibited.

5 Sec. 2. Original section 53-123.14, Reissue Revised Statutes of
6 Nebraska, is repealed.