

AMENDMENTS TO LB376

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 2022, is amended to read:

5 53-101 Sections 53-101 to 53-1,122 and sections 3 to 7 of this act
6 shall be known and may be cited as the Nebraska Liquor Control Act.

7 Sec. 2. Section 53-103, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 53-103 For purposes of the Nebraska Liquor Control Act, the
10 definitions found in sections 53-103.01 to 53-103.49 and sections 3 and 4
11 of this act apply.

12 Sec. 3. Channel pricing means a pricing strategy that differentiates
13 the price charged for a product based upon the type of license held by
14 the retailer and the primary use of the premises on which the retailer
15 operates.

16 Sec. 6. (1) For purposes of this section, alcoholic product means a
17 particular brand of alcoholic liquor in a designated size container or a
18 mix of brands and containers when sold on a combined basis, as
19 established by the wholesaler.

20 (2) A wholesaler may employ channel pricing to sell such
21 wholesaler's alcoholic product to retail licensees at a different price
22 than the wholesaler sells alcoholic product to other retail licensees. If
23 a wholesaler employs channel pricing, such pricing shall be made equally
24 available to similarly situated retail licensees.

25 (3) Whether an establishment is similarly situated to another
26 licensee is to be determined by the type of license held by the retailer
27 and the primary use of the premises.

1 (4) A wholesaler may also provide discounts on the alcoholic product
2 to retailers that are otherwise similarly situated if those discounts are
3 based on the volume of the alcoholic product being purchased.

4 (5) A wholesaler may also provide discounts on the alcoholic product
5 to retailers that are otherwise similarly situated if those discounts are
6 based on the electronic ordering of the alcoholic product being
7 purchased.

8 Sec. 13. Original sections 53-103, 53-117.06, 53-123.11, and 53-168,
9 Reissue Revised Statutes of Nebraska, and sections 53-101, 53-124.11, and
10 53-169, Revised Statutes Cumulative Supplement, 2022, are repealed.