

LEGISLATIVE BILL 466

Approved by the Governor April 1, 1971

Introduced by Fred W. Carstens, 30th District

AN ACT to amend section 53-123.07, Revised Statutes Supplement, 1969, relating to liquors; to provide that alcoholic liquors sold to nonbeverage users may be shipped or delivered directly to such nonbeverage users from the source of supply and the same shall be considered as received by the alcoholic liquor distributors within the state and at their licensed premises, and such shipments and deliveries shall be recorded and reported; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 53-123.07, Revised Statutes Supplement, 1969, be amended to read as follows:

53-123.07. A nonbeverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or distributor, without the imposition of any tax upon the business of such licensed manufacturer or distributor as to such alcoholic liquor, to be used by such licensee solely for the nonbeverage purposes set forth in section 53-160; Provided, if any such licensee is engaged in the business of manufacturing, compounding or preparing pharmaceutical products or similar preparations or products containing alcohol to be sold in both intrastate and interstate commerce, such license shall allow the licensee to purchase at wholesale or otherwise from manufacturers or distributors not licensed in the state and to import alcohol either in barrels, drums, casks or other containers; and provided further, if any such licensee is engaged in the business of manufacturing or preparing food products containing alcoholic liquor to be sold in both intrastate and interstate commerce, such license shall allow the licensee to purchase at wholesale from alcoholic liquor distributors licensed within the state alcoholic liquor either in barrels, drums, casks or other containers, and such alcoholic liquor distributors may cause such alcoholic liquor to be shipped or delivered directly to such nonbeverage user from the source of supply, in which event all such shipments or deliveries shall be considered as received by such alcoholic liquor distributors within this state and at

their licensed premises, and purchased by such alcoholic liquor distributors and for their account, and in compliance with sections 53-151 to 53-153, and all such shipments or deliveries shall be recorded and reported by such alcoholic liquor distributors as required by sections 53-165 and 53-166. All such licenses shall be divided and classified and shall permit the purchase during the term for which such licenses shall be issued of limited and stated quantities of alcoholic liquor as follows:

- Class 1, not to exceed100 gallons
- Class 2, not to exceed1,000 gallons
- Class 3, not to exceed5,000 gallons
- Class 4, not to exceed10,000 gallons
- Class 5, in excess of10,000 gallons.

Sec. 2. That original section 53-123.07, Revised Statutes Supplement, 1969, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.