

LEGISLATIVE BILL 479

Approved by the Governor March 13, 1997

Introduced by Schellpeper, 18; Wehrbein, 2

AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.11, Reissue Revised Statutes of Nebraska; to change provisions relating to farm wineries; to harmonize provisions; and to repeal the original section.

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

Section 1. Section 53-123.11, Reissue Revised Statutes of Nebraska, is amended to read:

53-123.11. (1) A farm winery license shall entitle the holder to:

(a) Sell wines produced at the farm winery onsite at wholesale and retail and to sell wines produced at the farm winery at off-premises sites holding the appropriate retail license; and

(b) Sell wines produced at the farm winery at retail for consumption on the premises.

(c) Ship wines produced at the farm winery by common carrier and sold at retail to recipients in and outside the State of Nebraska, if the output of such farm winery for each calendar year as reported to the commission by December 31 of each year does not exceed fifteen thousand gallons. In the event such amount exceeds fifteen thousand gallons, the farm winery shall be required to use a licensed wholesaler to distribute its wines for the following calendar year, except that this requirement shall not apply to wines produced and sold onsite at the farm winery pursuant to subdivision (1)(a) of this section; and

(d) Allow sampling of the wine at the farm winery and at one branch outlet in the state in reasonable amounts.

(2) No farm winery shall manufacture wine in excess of fifty thousand gallons per year.

Sec. 2. Original section 53-123.11, Reissue Revised Statutes of Nebraska, is repealed.