

LEGISLATIVE BILL 440

Approved by the Governor March 21, 1989

Introduced by Hannibal, 4

AN ACT relating to liquors; to amend section 53-180.05, Reissue Revised Statutes of Nebraska, 1943; to change the penalty for manufacturing, creating, or altering a form of identification as prescribed; and to repeal the original section.

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

Section 1. That section 53-180.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-180.05. (1) Any person, except a person licensed pursuant to Chapter 53 or an employee of such licensee, violating any of the provisions of section 53-180 shall be guilty of a Class I misdemeanor. Any person violating any of the provisions of sections 53-180.01 to 53-180.04 not involving the use of false or altered identification shall be guilty of a Class III misdemeanor. Any person violating any of the provisions of sections 53-180.01 to 53-180.04 involving the use of false or altered identification shall be guilty of a Class III misdemeanor. Any person violating subsection (2) of section 53-186.01 shall be guilty of a Class III misdemeanor. Any person violating any of the provisions of section 53-180.02 shall be guilty of a Class III misdemeanor, and in lieu of the above penalties, the court may sentence such person to work on public streets, parks, or other public property for a period not exceeding ten working days. Such work shall be under the supervision of the county sheriff. Upon the written certification by the county sheriff of the performance of such work, the sentence shall be deemed to be satisfied.

(2) Any licensee or employee thereof who violates any of the provisions of section 53-180 shall be guilty of a Class I misdemeanor.

(3) Any person who knowingly manufactures, creates, or alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of twenty-one years shall be guilty of (a) a Class III misdemeanor for the first such offense and (b) a Class II misdemeanor

~~for any second or subsequent offense a Class I misdemeanor.~~ For purposes of this subsection, form of identification shall mean any card, paper, or legal document that may be used to establish the age of the person named thereon for the purposes of purchasing alcoholic liquors.

Sec. 2. That original section 53-180.05, Reissue Revised Statutes of Nebraska, 1943, is repealed.