

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 544

Introduced by Synowiecki, 7

Read first time January 17, 2007

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-168, Reissue Revised Statutes of Nebraska; to
3 eliminate a prohibition on certain licensees receiving
4 credit from a manufacturer or wholesaler; and to repeal
5 the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-168, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 53-168 (1) It shall be unlawful ~~for any person having~~
4 ~~a retail license to sell beer to accept credit for the purchase~~
5 ~~of beer from any manufacturer or wholesaler of beer and for~~
6 any person having a retail license to sell alcoholic liquor or
7 any officer, associate, member, representative, or agent of such
8 licensee to accept, receive, or borrow money or anything else of
9 value or to accept or to receive credit, other than merchandising
10 credit in the ordinary course of business for a period not to
11 exceed thirty days, directly or indirectly, from (a) any person,
12 partnership, limited liability company, or corporation engaged in
13 manufacturing or wholesaling such liquor, (b) any person connected
14 with or in any way representing such manufacturer or wholesaler,
15 (c) any member of the family of such manufacturer or wholesaler,
16 (d) any stockholders in any corporation engaged in manufacturing
17 or wholesaling such liquor, or (e) any officer, manager, agent,
18 member, or representative of such manufacturer or wholesaler.

19 (2) It shall be unlawful for any manufacturer or
20 wholesaler to give or lend money or otherwise loan or extend
21 credit, except the merchandising credit referred to in subsection
22 (1) of this section, directly or indirectly, to any such licensee
23 or to the manager, representative, agent, member, officer, or
24 director of such licensee. It shall be unlawful for any wholesaler
25 to participate in any manner in a merchandising and coupon plan of

1 any manufacturer involving alcoholic liquor and the redemption in
2 cash. The redemption of any merchandising and coupon plan involving
3 cash shall be made by the manufacturer to the consumer.

4 (3) If any holder of a license to sell alcoholic liquor
5 at retail or wholesale violates subsection (1) or (2) of this
6 section, such license shall be suspended or revoked by the
7 commission in the manner provided by the Nebraska Liquor Control
8 Act.

9 (4) It shall not be a violation of subsection (1) or (2)
10 of this section for a manufacturer or wholesaler to sell or provide
11 alcoholic liquor exclusively or in minimum quantities in containers
12 bearing a private label or to sell or provide alcoholic liquor in
13 containers bearing a generic label to a wholesaler or retailer.

14 (5) It shall not be a violation of subsection (1) or (2)
15 of this section for a wholesaler or retailer to accept or purchase
16 from a manufacturer or wholesaler alcoholic liquor exclusively or
17 in minimum quantities in containers bearing a private label or for
18 a wholesaler or retailer to accept or purchase from a manufacturer
19 or wholesaler alcoholic liquor in containers bearing a generic
20 label.

21 Sec. 2. Original section 53-168, Reissue Revised Statutes
22 of Nebraska, is repealed.