

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 678

Introduced by Janssen, 15

Read first time January 20, 1999

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
2 section 53-1,104, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to license suspension; and
4 to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-1,104, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 53-1,104. (1) Any licensee which sells or permits the
4 sale of any alcoholic liquor not authorized under the terms of such
5 license on the licensed premises or in connection with such
6 licensee's business or otherwise shall be subject to suspension,
7 cancellation, or revocation of such license by the commission.

8 (2) When any order suspending a retail license to sell
9 alcoholic liquor becomes final, the licensee may elect to pay a
10 cash penalty to the commission in lieu of suspending sales of
11 alcoholic liquor for the designated period. For the first such
12 suspension for any licensee, the penalty shall be fifty dollars per
13 day. For a second or any subsequent suspension, the penalty shall
14 be one hundred dollars per day, except that for any licensee which
15 has no violation for a period of four years consecutively, the
16 suspension shall be treated as a first suspension and the
17 commission shall only consider violations of the licensee within
18 four years. Such election shall be filed with the commission in
19 writing one week before such suspension is ordered to commence and
20 shall be accompanied by payment in full of the sum required by this
21 section. If such election has not been received by the commission
22 by the close of business one week before the day such suspension is
23 ordered to commence, it shall be conclusively presumed that the
24 licensee has elected to close for the period of the suspension and
25 any election received later shall be absolutely void and the
26 payment made shall be returned to the licensee. The election shall
27 be made on a form prescribed by the commission. All funds received
28 under this section shall be remitted to the State Treasurer for

1 credit to the temporary school fund.

2 Sec. 2. Original section 53-1,104, Reissue Revised

3 Statutes of Nebraska, is repealed.