

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 667

Introduced by Hughes, 24.

Read first time January 18, 2023

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to liquor; to amend section 53-103, Reissue
- 2 Revised Statutes of Nebraska, and section 53-101, Revised Statutes
- 3 Cumulative Supplement, 2022; to authorize wholesalers to employ
- 4 channel pricing under the Nebraska Liquor Control Act; to define
- 5 terms; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 53-101 Sections 53-101 to 53-1,122 and sections 3 and 4 of this act
4 shall be known and may be cited as the Nebraska Liquor Control Act.

5 Sec. 2. Section 53-103, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 53-103 For purposes of the Nebraska Liquor Control Act, the
8 definitions found in sections 53-103.01 to 53-103.49 and section 3 of
9 this act apply.

10 Sec. 3. Channel pricing means a pricing strategy that
11 differentiates the price charged for a product based upon the particular
12 distribution channel used to sell such product.

13 Sec. 4. (1) For purposes of this section, alcoholic product means a
14 particular brand of alcoholic liquor in a designated size container or a
15 mix of brands and containers when sold on a combined basis, as
16 established by the wholesaler, that is offered in quantity discount terms
17 established by the wholesaler.

18 (2) A wholesaler may employ channel pricing to sell such
19 wholesaler's alcoholic product to retail licensees which sell alcoholic
20 liquor for consumption on and off the licensed premises at a different
21 price than the wholesaler sells alcoholic liquor to retail licensees
22 which sell alcoholic liquor only for consumption off the licensed
23 premises if such channel pricing discounts are:

24 (a) Based on the volume of the alcoholic product delivered within a
25 twenty-four-hour period; and

26 (b) Made equally available to each retail licensee in that
27 licensee's same channel.

28 (3) If an establishment has multiple licenses at the same location
29 and the licenses are not from the same channel, the alcoholic product
30 shall be sold under the channel that represents the primary use of the
31 premises.

1 Sec. 5. Original section 53-103, Reissue Revised Statutes of
2 Nebraska, and section 53-101, Revised Statutes Cumulative Supplement,
3 2022, are repealed.