

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB178

Hearing Date: Monday February 03, 2025
Committee On: General Affairs
Introducer: Clouse
One Liner: Require mandatory server training under the Nebraska Liquor Control Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Andersen, Cavanaugh, J., Clouse, DeKay, Holdcroft, Quick, Rountree, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Andrew Shelburn
Hobert Rupe
Lanette Richards
Chris Wagner

Representing:

Opening Presenter
Nebraska Liquor Control Commission
Monument Prevention
Project Extra Mile

Opponents:

John Murante
Brandi Burkett

Representing:

Nebraska Licensed Beverage Association
Nebraska Czechs of Wilber

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 178 Requires mandatory server training under the Nebraska Liquor Control Act, for any individual involved in the sale, service, or mixture of alcohol liquor; in providing security for licensed premises or; in verifying customers' ages for purposes of alcohol purchase or consumption. This required course would provide education on responsible beverage service, recognizing signs of intoxication, refusal of service to visibly intoxicated persons, identification and age verification, and local alcohol laws.

SECTION BY SECTION SUMMARY:

Section 1: Amends 53-101 to include sections three and six of this act to be included in the Nebraska Liquor Control Act.



Section 2: Amends 53-103 to include section three in the list of definitions included in the Nebraska Liquor Control Act.

Section 3: This is a new section added to the Nebraska Liquor Control Act, requiring mandatory server training. This training is for any individual involved in the sale, service, or mixture of alcohol liquor; in providing security for licensed premises or; in verifying customers' ages for purposes of alcohol purchase or consumption. This required course would provide education on: responsible beverage service, recognizing signs of intoxication, refusal of service to visibly intoxicated persons, identification and age verification, and local alcohol laws.

Section 4: Amends section 53-117.03, subsection one, giving the Nebraska Liquor Control Commission the authority to adopt and create rules and regulations governing programs that provide training to those involved in the sale and service of alcohol, including mandatory server alcohol training. Subsection one (a) is amended to include mandatory server alcohol training under the minimum standards governing the training of beverage servers. Subsection one (d) is amended to include mandatory server alcohol training as an approved method for beverage-server training organizations and programs. Subsection two (b) created to give the Commission authority to create the mandatory alcohol service training. Establishing a fee, the Commission can charge each enrolling person not to exceed thirty dollars. All such fees shall be collected by the commission and remitted to the State Treasurer for credit to the Nebraska Liquor Control Commission Rule and Regulation Cash Fund.

Section 5: Amends section 53-117.06 to allow the money collected in the implementation of the mandatory alcohol service training, transferred to the Regulation Cash Fund, may be used to administer the mandatory alcohol service training.

Section 6: Enacts a new section. Subsection one, requires that beginning January 1, 2026, a retail licensee can only employ a person to be engaged in the sale, service, or mixture of alcoholic liquor, in providing security for licensed premises, or in verifying a customer's age for purpose of alcohol purchase or consumption, if the person completed the training and obtained a certificate of completion. Subsection 2, requires the retail licensee to maintain a copy of each employee's required certificate or proof that the employee has been employed for less than ninety days. Subsection 3, states that if a retail licensee violates this section may have their license suspended, canceled, or revoked by the commission.

Section 7: Repealer

Explanation of amendments:

The Committee considered and adopted AM 199 to LB 178, which accomplishes the following:

- Adds subsection four to Section 6, allowing a Special Designated License that is staffed primarily by volunteers shall only be required to have the manager on duty to have completed a mandatory server training program approved by the commission and received a certification as provided in section 53-117.03.
- Adds subsection five to Section 6, allowing Peace Officers, as defined in section 60-646, to be exempt from the mandatory server training program and certification defined in this section.
- Revises and clarifies language in Section 6 as introduced.

Rick Holdcroft, Chairperson

