

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 178**

Introduced by Clouse, 37.

Read first time January 13, 2025

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend  
2 section 53-117.03, Reissue Revised Statutes of Nebraska, and  
3 sections 53-101, 53-103, and 53-117.06, Revised Statutes Cumulative  
4 Supplement, 2024; to define a term; to provide for issuance of  
5 certificates related to mandatory server alcohol training as  
6 prescribed; to require employment of certified personnel; to  
7 harmonize provisions; and to repeal the original sections.  
8 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 53-101, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           53-101 Sections 53-101 to 53-1,122 and sections 3 and 6 of this act  
4 shall be known and may be cited as the Nebraska Liquor Control Act.

5           **Sec. 2.** Section 53-103, Revised Statutes Cumulative Supplement,  
6 2024, is amended to read:

7           53-103 For purposes of the Nebraska Liquor Control Act, the  
8 definitions found in sections 53-103.01 to 53-103.52 and section 3 of  
9 this act apply.

10           **Sec. 3.** Mandatory server alcohol training means a course or program  
11 required pursuant to section 6 of this act for an individual engaged in  
12 the sale, service, or mixture of alcoholic liquor, in providing security  
13 for licensed premises or, in verifying customers' ages for purposes of  
14 alcohol purchase or consumption. Such course or program shall include  
15 education on (1) responsible beverage service practices to prevent  
16 underage drinking and intoxication, (2) recognizing signs of  
17 intoxication, (3) refusal of service to visibly intoxicated persons, (4)  
18 identification and age verification, and (5) local alcohol laws.

19           **Sec. 4.** Section 53-117.03, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           53-117.03 (1) ~~The On or before January 1, 2007,~~ the commission shall  
22 adopt and promulgate rules and regulations governing programs which  
23 provide training for persons employed in the sale and service of  
24 alcoholic liquor and management of licensed premises, including mandatory  
25 server alcohol training. Such rules and regulations may include, but need  
26 not be limited to:

27           (a) Minimum standards governing training of beverage servers or  
28 individuals required to complete mandatory server alcohol training,  
29 including standards and requirements governing curriculum, program  
30 trainers, and certification requirements;

31           (b) Minimum standards governing training in management of licensed

1 premises, including standards and requirements governing curriculum,  
2 program trainers, and certification requirements;

3 (c) Minimum standards governing the methods allowed for training  
4 programs which may include the Internet, interactive video, live training  
5 in various locations across the state, and other means deemed appropriate  
6 by the commission;

7 (d) Methods for approving beverage-server training organizations and  
8 programs, including mandatory server alcohol training programs. All such  
9 ~~beverage-server training~~ programs approved by the commission shall issue  
10 a certificate of completion to all persons who successfully complete the  
11 program and shall provide the names of all persons completing the program  
12 to the commission;

13 (e) Enrollment fees in an amount determined by the commission to be  
14 necessary to cover the administrative costs, including salary and  
15 benefits, of enrolling in a training program offered by the commission  
16 pursuant to subsection (2) of this section, but not to exceed thirty  
17 dollars; and

18 (f) Procedures and fees for certification, which fees shall be in an  
19 amount determined by the commission to be sufficient to defray the  
20 administrative costs, including salary and benefits, associated with  
21 maintaining a list of persons certified under this section and issuing  
22 proof of certification to eligible individuals but shall not exceed  
23 twenty dollars.

24 (2)(a) ~~(2)~~ The commission may create a program to provide training  
25 for persons employed in the sale and service of alcoholic liquor and  
26 management of licensed premises. The program shall include training on  
27 the issues of sales and service of alcoholic liquor to minors and to  
28 visibly inebriated purchasers. The commission may charge each person  
29 enrolling in the program an enrollment fee as provided in the rules and  
30 regulations, but such fee shall not exceed thirty dollars. All such fees  
31 shall be collected by the commission and remitted to the State Treasurer

1 for credit to the Nebraska Liquor Control Commission Rule and Regulation  
2 Cash Fund.

3 (b) The commission shall create a program to provide mandatory  
4 server alcohol training under section 6 of this act. The commission may  
5 charge each person enrolling in the program an enrollment fee as provided  
6 in the rules and regulations, but such fee shall not exceed thirty  
7 dollars. All such fees shall be collected by the commission and remitted  
8 to the State Treasurer for credit to the Nebraska Liquor Control  
9 Commission Rule and Regulation Cash Fund.

10 (3) A person who has completed a training program which complies  
11 with the commission's rules and regulations, whether such program is  
12 offered by the commission or by another organization, may become  
13 certified by the commission upon the commission receiving evidence that  
14 he or she has completed such program and the person seeking certification  
15 paying the certification fee established under this section.

16 **Sec. 5.** Section 53-117.06, Revised Statutes Cumulative Supplement,  
17 2024, is amended to read:

18 53-117.06 Any money collected by the commission pursuant to section  
19 53-117.03, 53-117.05, 53-165.01, or 53-167.02 shall be credited to the  
20 Nebraska Liquor Control Commission Rule and Regulation Cash Fund, which  
21 fund is hereby created. The purpose of the fund shall be to cover any  
22 administrative costs, including salary and benefits, incurred by the  
23 commission in producing or distributing the material referred to in such  
24 sections and to defray the costs associated with electronic regulatory  
25 transactions, industry education events, enforcement training, ~~and~~  
26 equipment for regulatory work, and administering section 53-117.03 and  
27 section 6 of this act. Transfers may be made from the fund to the General  
28 Fund at the direction of the Legislature. Any money in the Nebraska  
29 Liquor Control Commission Rule and Regulation Cash Fund available for  
30 investment shall be invested by the state investment officer pursuant to  
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2       **Sec. 6.** (1) Beginning January 1, 2026, a retail licensee shall only  
3 employ a person to be engaged in the sale, service, or mixture of  
4 alcoholic liquor, in providing security for licensed premises, or in  
5 verifying a customer's age for purposes of alcohol purchase or  
6 consumption if such person (a) has completed a mandatory server training  
7 program approved by the commission and received a certification as  
8 provided in section 53-117.03 or (b) completes a mandatory server  
9 training program approved by the commission and receives a certification  
10 as provided in section 53-117.03 within ninety days after the start of  
11 such person's employment in such capacity.

12       (2) The retail licensee shall maintain on its licensed premises a  
13 copy of each employee's required certificate or proof that such employee  
14 has been employed for less than ninety days.

15       (3) Any retail licensee who employs a person in violation of this  
16 section may have its license suspended, canceled, or revoked by the  
17 commission.

18       **Sec. 7.** Original section 53-117.03, Reissue Revised Statutes of  
19 Nebraska, and sections 53-101, 53-103, and 53-117.06, Revised Statutes  
20 Cumulative Supplement, 2024, are repealed.