

## **PROJECT EXTRA MILE**

### **2024 Legislative Bill Tracking**

Bill #	Sponsor(s)	Description	Bill Status	Additional Information
<a href="#">LB685</a>	Low <a href="#">General Affairs</a> <i>*General Affairs priority</i>	Rename, transfer, and change provisions relating to the Mechanical Amusement Device Tax Act, transfer powers from the Department of Revenue to the State Racing and Gaming Commission, provide a tax on cash devices, and eliminate provisions relating to the power to tax under the Mechanical Amusement Device Tax Act	Approved by Governor 4/15/24	<ul style="list-style-type: none"> <li>Increases the application and license fees for mechanical amusement devices that are cash devices.</li> <li>Moves the oversight and regulation of these devices to the Racing &amp; Gaming Commission.</li> </ul> <p><a href="#">AM2382</a> – adopted – amends LB836 into the bill</p> <p>Prohibits off-premise liquor license holders with retail sales floors from displaying alcoholic products immediately next to non-alcoholic products containing the same or similar brand name, logo, or packaging.</p> <ul style="list-style-type: none"> <li>For establishments larger than 2,500 sq ft, co-branded alcoholic products may not be immediately adjacent to soft drinks, fruit juices, bottled water, candy, or snack foods if those snack foods portray cartoons or youth-oriented images.</li> <li>For establishments smaller than 2,500 sq ft, they must either comply with the above requirement or post clear signs (8.5 x 11 inches) on every display containing co-branded alcoholic beverages stating, “This product is an alcoholic beverage available only to persons who are 21 years of age or older.”</li> </ul> <p><a href="#">ER67</a> – adopted <a href="#">AM2753</a> – adopted <a href="#">FA250</a> – adopted</p>
<a href="#">LB836</a> * Support	Low <a href="#">General Affairs</a>	Provide requirements for retail licensees relating to the display of co-branded alcoholic beverages under the Nebraska Liquor Control Act	Amended into LB685 as AM2382	<p>Prohibits off-premise liquor license holders with retail sales floors from displaying alcoholic products immediately next to non-alcoholic products containing the same or similar brand name, logo, or packaging.</p> <ul style="list-style-type: none"> <li>For establishments larger than 2,500 sq ft, co-branded alcoholic products may not be immediately adjacent to soft drinks, fruit juices, bottled water, candy, or snack foods if those snack foods portray cartoons or youth-oriented images.</li> <li>For establishments smaller than 2,500 sq ft, they must either comply with the above requirement or post clear signs (8.5 x 11</li> </ul>

				inches) on every display containing co-branded alcoholic beverages stating, "This product is an alcoholic beverage available only to persons who are 21 years of age or older."
<a href="#">LB875*</a> Neutral	Hughes; Lowe <a href="#">General Affairs</a>	Prohibit sales of alcohol or beer for consumption off the premises at less than cost under the Nebraska Liquor Control Act	General File 2/27/24	<p>Prohibits the sale of alcoholic products for off-premise consumption in original packaging at a price less than the retailer purchased it from the wholesaler.</p> <p><a href="#">AM2205</a> – pending Specifies that after six months of purchase, the retailer may sell products below the cost purchased from the wholesaler.</p> <p><a href="#">AM2476</a> – pending – becomes the bill</p> <ul style="list-style-type: none"> <li>• Prohibits the sale of alcoholic products for off-premise consumption in original packaging at a price less than the retailer purchased it from the wholesaler.</li> <li>• Specifies that after six months of purchase, the retailer may sell products below the cost purchased from the wholesaler.</li> <li>• Permits beer to be discounted below cost purchased from the wholesaler 30 days prior to product expiration.</li> </ul>
<a href="#">LB923</a>	McKinney; Brewer <a href="#">Judiciary</a> Blood name added	Allow the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws	Amended into LB1288 as AM3096	<ul style="list-style-type: none"> <li>• Permits the use of a tribal enrollment card as proof of age for the purpose of purchasing or consuming alcohol, including a keg.</li> <li>• Permits tribal enrollment cards as proof of identification when carrying a concealed handgun; attempting to purchase, lease, rent, or receive transfer of a handgun; and when applying for a permit to carry a concealed handgun.</li> </ul>
<a href="#">LB968</a>	DeKay; Hardin, Holdcroft, Hughes, Kauth, Linehan, Lippincott, Murman <a href="#">Revenue</a>	Adopt the Live Adult Entertainment Establishment Fee Act	Withdrawn 1/9/24	Requires owners of live adult entertainment establishments (nightclubs, striptease clubs, bars, restaurants, and similar) to collect a \$5 fee from each customer for each entry into the business. 50% of the collected fees will be credited to the Sexual Assault Payment Program Cash Fund and 50% to the Human Trafficking Victim Assistance Fund by the State Treasurer.

<p><a href="#">LB974</a>* Support</p>	<p>Holdcroft; Albrecht, DeKay, Halloran, Ibach, Lowe, Murman <a href="#">Judiciary</a> Von Gillern, Lippincott, Brewer name added</p>	<p>Change penalties for motor vehicle homicide of an unborn child</p>	<p><i>General File</i> <i>3/18/24</i></p>	<p>Changes penalties for a motor vehicle homicide of an unborn child as a result of impaired driving.</p> <ul style="list-style-type: none"> <li>Enhances the penalty from a Class IIIA felony to a Class IIA felony when death results from an impaired driving crash</li> <li>Enhances the penalty from a Class IIA felony to a Class II felony when death results from an impaired driving crash with a repeat offender</li> </ul>
<p><a href="#">LB1204</a></p>	<p>Cavanaugh, J <a href="#">General Affairs</a> <i>*General Affairs priority</i></p>	<p>Define rickhouse and authorize a holder of a manufacturer’s license or microdistillery license to operate a rickhouse under the Nebraska Liquor Control Act</p>	<p><i>Approved by Governor</i> <i>4/2/24</i></p>	<ul style="list-style-type: none"> <li>Defines rickhouse as an off-site warehouse for the storage of spirits in barrels for aging.</li> <li>Allows the holder of a spirits manufacturer’s license or microdistillery license to operate a rickhouse in accordance with federal guidelines and authorization by the Nebraska Liquor Control Commission.</li> </ul> <p><a href="#">AM2640</a> – adopted</p> <ul style="list-style-type: none"> <li>Amends <a href="#">LB981</a> into the bill – simplifies compliance requirements for charitable gaming lottery and raffle applicants</li> <li>Amends <a href="#">LB1000</a> into the bill – allows lottery winners for more than \$250,000 to remain anonymous</li> <li>Amends <a href="#">LB1296</a> into the bill – prohibits the sale of electronic nicotine delivery systems that have not received marketing authorization or have applied for approval by the FDA; prohibits the online sale of these systems; and creates a registry of manufacturers</li> </ul> <p><a href="#">ER79</a> – approved <a href="#">FA288</a> – approved</p>
<p><a href="#">LB1276</a>* Oppose</p>	<p>Brewer <a href="#">General Affairs</a></p>	<p>Change provisions relating to issuance of certain liquor licenses in a city of the second class or village under the Nebraska Liquor Control Act</p>	<p><i>Hearing</i> <i>2/5/24</i></p>	<p>Permits the Nebraska Liquor Control Commission (NLCC) to waive the 45-day objection period in a city of the second class or village if the city or village clerk has been informed of a protest prior to the purchase of land or purchase and renovation of an existing property and the clerk chooses to submit a request to the commission to waive the 45-day objection period. The NLCC may then hold a hearing to determine the status of the application.</p>

<a href="#">LR344</a>	Lowe <a href="#">General Affairs</a>	Interim study to examine issues within the jurisdiction of the General Affairs Committee	<i>Introduced</i> 3/25/24	
<a href="#">LR353</a>	Lowe <a href="#">General Affairs</a>	Interim study to examine the pricing and taxation of alcohol in Nebraska	<i>Introduced</i> 3/25/24	

\* *Testimony provided by Project Extra Mile*

The 108th Legislature, Second Regular Session adjourned Sine Die on April 18, 2024.

## **PROJECT EXTRA MILE**

### **2023 Legislative Bill Tracking**

Bill #	Sponsor(s)	Description	Bill Status	Additional Information
<a href="#">LB150+</a> <i>Oppose</i>	Dover <a href="#">General Affairs</a>	Change provisions relating to entertainment districts under the Nebraska Liquor Control Act	<a href="#">Hearing</a> <a href="#">3/13/23</a>	<ul style="list-style-type: none"> <li>Changes the food service requirement for alcohol consumption in the commons area of an entertainment district to allow consumption as long as at least one holder of an entertainment district (E) license is serving food.</li> <li>Adds language to relax restrictions for entertainment districts located in cities of the first and second class, counties, and/or villages to allow pedestrians to cross an open street or highway while carrying open containers of alcohol as long as those pedestrians are traveling between two businesses that hold an entertainment district license.</li> </ul>
<a href="#">LB253</a>	Brewer <a href="#">Judiciary</a> Hardin, Conrad, Wayne, Sanders, Vargas name added <i>*Judiciary priority</i>	Provide for an additional location for the Nebraska Law Enforcement Training Center	<i>Approved by Governor</i> 4/16/24	<p>Expands the Nebraska Law Enforcement Training Center to two locations, the current one in Grand Island and a new one in Scottsbluff.</p> <p><a href="#">AM2534</a> – withdrawn <a href="#">AM3160</a> – withdrawn <a href="#">ER113</a> – adopted</p> <p><a href="#">AM3226</a> – withdrawn <a href="#">AM3366</a> – withdrawn <a href="#">ST75</a> – recorded</p> <p><a href="#">AM2978</a> – adopted Removes original bill language and replaces with the creation of veteran justice programs in each district or county court. Permits a veteran to receive a deferred judgement for misdemeanor and felony driving under the influence (DUI) convictions resulting in the DUI charge to be dismissed upon completion of the program.</p> <p><a href="#">AM3321</a> – adopted Removes presumption of eligibility for program, for second offense DUI arrests and excludes eligibility for third or subsequent DUI arrests, but keeps first offense DUIs. Also excluded eligibility for any offense causing death; allows but not presumes eligibility for offenses causing serious bodily injury.</p>

<a href="#">LB258*</a> <i>Oppose</i>	Low <a href="#">General Affairs</a>	Eliminate provisions relating to near beer under the Nebraska Liquor Control Act	<a href="#">Hearing 1/30/23</a>	Removes 'near beer' from the definition of beer, which would allow children to purchase beer with less than 0.5% ABV. It could also be drunk while driving.
<a href="#">LB259*</a> <i>Oppose</i>	Low <a href="#">General Affairs</a>	Allow farm wineries to obtain additional retail licenses under the Nebraska Liquor Control Act	<i>Amended into LB376 as AM612</i>	Permits farm wineries to obtain an annual liquor license to sell alcoholic liquor not produced by the farm winery.
<a href="#">LB301*</a> <i>Support</i>	Linehan <a href="#">General Affairs</a>	Change a tax on ready-to-drink cocktails under the Nebraska Liquor Control Act	<a href="#">Hearing 1/30/23</a>	Returns the excise tax rate for ready-to-drink cocktails (RTDs) back to \$3.75 per gallon from \$0.95.
<a href="#">LB328</a>	Raybould <a href="#">Judiciary</a> Conrad, Hunt, Cavanaugh M, Blood name added	Create the Office of Liaison for Missing and Murdered Indigenous Persons	<i>General File 3/13/23</i>	Requires the Attorney General (AG) to establish the Office of Liaison for Missing and Murdered Indigenous Persons to serve as connector between AG's Office and local, state, tribal, and federal entities in reporting or investigating missing and murdered indigenous persons cases in Nebraska.  <a href="#">AM620</a> – pending
<a href="#">LB375</a> <i>Oppose</i>	Low <a href="#">General Affairs</a>	Authorize certain licensees to purchase alcoholic liquor for resale from a gas station, grocery store, liquor store, or similar establishment under certain circumstances as prescribed under the Nebraska Liquor Control Act	<a href="#">Hearing 3/13/23</a>	Permits eligible craft brewery and microdistillery license holders to purchase up to five alcoholic products (single case or pack of beer, RTD cocktails, or ciders; single bottle of wine; single bottle of liquor) per week for resale and consumption from another off-sale retail location. Licensees must notify the Nebraska Liquor Control Commission (LCC) within 24 hours after the purchase is made.
<a href="#">LB376+</a>	Low <a href="#">General Affairs</a> <i>*General Affairs priority</i>	Change provisions relating to the importation of alcoholic liquor into the state under the Nebraska Liquor Control Act	<i>Approved by Governor 4/21/23</i>	Requires out of state licensed manufacturers, wholesalers, or holders of a shipping license to submit to the Nebraska Liquor Control Commission, along with applicable fees, forms including the name, license number, designated Nebraska wholesaler (if applicable), primary source of supply, product to be imported, and evidence of compliance with federal label requirements prior to shipping product into the state. <i>(Support)</i>  <a href="#">AM336</a> (divided the bill into its individual parts) – adopted <a href="#">AM472</a> amends LB452 into the bill. – adopted <a href="#">AM571</a> adds an emergency clause. – adopted <a href="#">AM611</a> is a substitute amendment that returns the bill to the original draft language of LB376. – adopted

				<p><a href="#">AM612</a> amends LB259 into the bill. – adopted</p> <p><a href="#">AM613</a> amends LB377 into the bill. – adopted</p> <p><a href="#">AM614</a> amends LB596 into the bill. – adopted</p> <p><a href="#">AM615</a> amends LB667 into the bill. – adopted</p> <p><a href="#">AM851</a> specifies that disputes regarding channel pricing will be resolved by the Liquor Control Commission. – withdrawn</p> <p><a href="#">ER13</a> – adopted</p> <p><a href="#">AM1033</a> – failed</p> <p><a href="#">AM1034</a> – withdrawn</p> <p><a href="#">AM1035</a> – withdrawn</p> <p><a href="#">FA33</a> – withdrawn</p> <p><a href="#">AM1055</a> – withdrawn</p> <p><a href="#">AM1056</a> – withdrawn</p>
<a href="#">LB377*</a> Oppose	Lowe <a href="#">General Affairs</a>	Change provisions relating to special designated licenses under the Nebraska Liquor Control Act	<i>Amended into LB376 as AM613</i>	Expands a nonprofit corporation’s, whose purpose is fraternal, charitable, or public service, ability to obtain a special designated license (SDL) for up to twelve, rather than six, days in a calendar year.
<a href="#">LB403</a> Oppose	Vargas <a href="#">General Affairs</a>	Change provisions relating to a craft brewery license under the Nebraska Liquor Control Act	<a href="#">Hearing 3/13/23</a>	<ul style="list-style-type: none"> <li>Increases how many barrels of beer craft breweries are allowed to directly sell or re-sell to off-premise sites from 250 to 5,000.</li> <li>Permits licensees to utilize common carriers for self-distribution.</li> </ul>
<a href="#">LB404</a>	Vargas <a href="#">General Affairs</a>	Change provisions relating to agreements between wholesalers and suppliers for the distribution of beer	<a href="#">Hearing 3/13/23</a>	<p>Allows small beer producers to enter into contracts with wholesalers to sell their product.</p> <p><a href="#">AM782</a> – pending</p>
<a href="#">LB452*</a> Oppose	Murman; Brewer, Vargas <a href="#">General Affairs</a>	Change provisions relating to microdistilleries under the Nebraska Liquor Control Act	<i>Amended into LB376 as AM472</i>	<ul style="list-style-type: none"> <li>Allows Nebraska microdistilleries to annually self-distribute up to 2,000 gallons of their product</li> <li>The product must use at least 51% of Nebraska-grown agricultural products</li> <li>The product may only be moved by employees in business-owned or leased vehicles</li> </ul> <p><a href="#">AM65</a> – pending</p> <ul style="list-style-type: none"> <li>Increases the self-distribution cap to 5,000 gallons per year</li> <li>Removes 51% Nebraska-grown requirement</li> <li>Permits self-distribution via a common carrier</li> </ul>

				<a href="#">AM710</a> – pending <ul style="list-style-type: none"> <li>• Sets the self-distribution cap to 500 gallons per year</li> <li>• Product may only be moved by business employees</li> <li>• Permits storage of product at secure facilities after authorization by the Nebraska Liquor Control Commission</li> </ul>
<a href="#">LB512</a> <i>Oppose</i>	Brewer <a href="#">General Affairs</a> Vargas name added	Change the number of locations allowed for a craft brewery or microdistillery under the Nebraska Liquor Control Act	<a href="#">Hearing</a> <a href="#">1/30/23</a>	Allows craft breweries and microdistilleries to have up to ten physical locations.
<a href="#">LB543</a>	Lowe <a href="#">General Affairs</a>	Change provisions relating to entertainment district licenses under the Nebraska Liquor Control Act	<a href="#">Hearing</a> <a href="#">3/6/23</a>	Removes redundant language relating to entertainment districts.
<a href="#">LB596*</a> <i>Oppose</i>	Hardin <a href="#">General Affairs</a>	Authorize a manufacturer or wholesaler to enter into a sponsorship or advertising agreement with certain licensees or organizations under the Nebraska Liquor Control Act	<i>Amended into LB376 as AM614</i>	Permits a manufacturer, wholesaler, or any agent of the aforementioned to enter into a sponsorship or advertising agreement with the holder of a special designated license (SDL), political subdivision, or operator of a property owned by a political subdivision to sponsor and advertise their events.
<a href="#">LB667</a>	Hughes <a href="#">General Affairs</a>	Authorize wholesalers to implement channel pricing under the Nebraska Liquor Control Act	<i>Amended into LB376 as AM615</i>	<ul style="list-style-type: none"> <li>• Defines channel pricing as a pricing strategy that differentiates the price of a product based upon the distribution channel used to sell it.</li> <li>• Allows wholesalers to utilize channel pricing to sell a particular brand of alcohol in a designated size container of a mix of brands and containers to retail licensees (on and off premise consumption) at a different price than licensees who sell only for off premise consumption.</li> </ul>
<a href="#">LR84</a>	Lowe <a href="#">General Affairs</a>	Interim study to examine different methods to address concerns raised by restaurant, bar, craft brewery, microdistillery, and farm winery owners relating to receiving shipments of alcoholic liquor	<i>Introduced</i> <i>4/4/23</i>	This study will examine the ability for on-premise liquor licensees to purchase products from retail locations that sell for off-premise consumption; concerns raised during the LB375 hearing in 2023; and how to improve access by retail licensees to the wholesale tier.
<a href="#">LR98</a>	Lowe <a href="#">General Affairs</a>	Interim study to examine issues within the jurisdiction of the General Affairs Committee	<i>Hearing</i> <i>10/20/23</i>	



<a href="#">LR103</a>	Lowe <a href="#">General Affairs</a>	Interim study to examine entertainment district licenses issued under the Nebraska Liquor Control Act	<i>Hearing</i> 9/22/23	This study will examine entertainment district licenses with a focus on safety requirements and ability to authorize such districts in historic districts; comments and issues raised during the LB150 hearing in 2023; and potential statutory or regulatory changes.
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\* *Testimony provided by Project Extra Mile*  
+ *Emergency clause included*

The 108th Legislature, First Regular Session adjourned Sine Die on June 1, 2023.