

PROJECT EXTRA MILE 2021 Legislative Bill Tracking

Bill #	Sponsor(s)	Description	Bill Status	Additional Information
LB72* <i>Oppose</i>	Geist General Affairs Blood, Lowe, Hunt, Hansen M, Vargas, Brandt name added	Provide for sale of alcoholic liquor not in its original package	Amended into LB274 as a part of AM427	Allows Class C and I license holders to permanently sell mixed drinks or cocktails to go so long as the item is not partially consumed, labeled and sealed with a tamper-evident lid. Class I licenses must sell the alcohol along with food. Stipulates the alcohol must be transported in the trunk of a motor vehicle, or behind the last upright seat if there is no trunk.
LB80	Briese General Affairs	Change shipping license fees under the Nebraska Liquor Control Act	Hearing 2/8/21	Decreases annual shipping license fees for manufacture direct sales from \$500 to \$250 and for retail direct sales from \$500 to \$250.
LB185	Brewer; Hilkemann, Pansing Brooks Appropriations <i>State-Tribal Relations priority</i>	Appropriate funds to the Department of Health and Human Services for public health aid	<i>Approved by Gov. 5/26/21</i>	Appropriates \$531,000 from the General Fund for each FY2021-22 & FY2022-23 to the Department of Health and Human Services to be distributed through Program 502-Public Health Aid. The funds shall be used for the Fred LeRoy Health and Wellness Center, a tribally owned Federally Qualified Health Center. AM706 – adopted ER73 – adopted
LB239 <i>Support</i>	Hilkemann Transportation & Telecommunications	Change provisions relating to the use of handheld wireless communication devices under the Nebraska Rules of the Road	<i>Indefinitely postponed</i> <i>2/25/21</i>	Prohibits the use of a handheld mobile device to make phone calls or access content stored on the phone while operating a motor vehicle.
LB240 <i>Support</i>	Hilkemann Transportation & Telecommunications	Require use of occupant protection systems for each vehicle occupant	<i>Indefinitely postponed</i> <i>2/25/21</i>	Requires each passenger of a motor vehicle to properly utilize a seatbelt while the vehicle is in operation.
LB271+*	Morfeld Judiciary <i>Speaker priority</i> Hansen M name added	Adopt the 24/7 Sobriety Program Act	<i>Approved by Gov. 5/24/21</i>	<ul style="list-style-type: none"> Establishes a 24/7 sobriety program that requires abstinence from alcohol and other drugs for a specified period of time during which the individual is tested at least once per day. Participation in the program is voluntary by each County Sheriff or his/her designee. A test in violation of the 24/7 sobriety program will result in immediate sanctions set for the participation agreement and will be determined by the program director in the participation agreement.

				<p>The sixth violation will result in removal from the program for that case.</p> <ul style="list-style-type: none"> • If program participant is arrested for a DUI while in the program, the participant may petition the court to remain if he/she is able to demonstrate 30 consecutive days without sanctions being imposed. <p>AM490 – adopted AM853 – adopted ER59 – adopted AM1002 – adopted</p>
<p>LB274+ Oppose</p>	<p>Low General Affairs Brewer name added General Affairs priority</p>	<p>Provide for a promotional farmers market special designated license under the Nebraska Liquor Control Act</p>	<p>Approved by Gov. 5/26/21</p>	<ul style="list-style-type: none"> • Creates an annual promotional farmers market special designated liquor license for craft breweries, microdistilleries, and farm wineries. The license is obtained by applying to the Nebraska Liquor Control Commission (NLCC) and requires local governing body’s approval. Local governing bodies must submit approval to the LCC within five days after authorization. Each farmer’s market requires a separate license and has an annual \$15 fee. • Allows Class C, I, and Y license holders to permanently sell mixed drinks or cocktails to go so long as the item is not partially consumed, labeled and sealed with a tamper-evident approved lid. Class I licenses must sell the alcohol along with food. Stipulates the alcohol must be transported in the trunk of a motor vehicle, or behind the last upright seat if there is no trunk. The licensee must notify the NLCC during initial licensure or at the time of annual renewal regarding plans to sell cocktails to go. • Defines ready-to-drink (RTD) cocktails as alcoholic beverages containing spirits with 12.5% or less alcohol by volume and sets the excise tax at \$0.95 per gallon versus the current rate for spirits of \$3.75 per gallon. • Allows Class B, C, D, L, Y, and Z license holders to permanently sell alcohol to a person within a motor vehicle so long as the alcohol is sold with food, the vehicle is in park, and the alcohol is placed in the trunk of the vehicle, or behind the last upright seat if there is no trunk. The licensee must notify the NLCC during initial licensure or at the time of annual renewal regarding plans to sell alcohol within a motor vehicle.

				<ul style="list-style-type: none"> Increases the microdistillery annual production cap from 10,000 gallons to 100,000 gallons.
				<p>AM427 – adopted AM475 – withdrawn AM479 – withdrawn FA4 – lost MO12 – failed ER18 – adopted</p> <p>AM646 – withdrawn AM667 – adopted AM668 – adopted AM870 – adopted ST6 – adopted AM1071 – adopted</p>
LB295* <i>Oppose</i>	Wishart General Affairs	Repeal prohibition on sale of alcoholic liquor to person within motor vehicle	Amended into LB274 as a part of AM667	<p>Permanently permits the sale of alcohol to a person within a motor vehicle.</p> <p>AM328 – pending Requires the licensee to apply for an endorsement for the sale of alcohol within a motor vehicle for an annual \$50 fee. Alcohol must be sold in its original package via a drive-through window or curbside pickup.</p>
LB311+	Vargas General Affairs McDonnell, Williams, Hunt, Hughes name added	Change provisions relating to microdistilleries under the Nebraska Liquor Control Act	Hearing 2/8/21	Increases the microdistillery annual production cap from 10,000 gallons to 100,000 gallons. Prohibits selling of microdistilled product to another Nebraska retail license.
LB397	Bostelman Judiciary	Prohibit certain causes of action by motorists without liability insurance or convicted of DUI offenses.	Hearing 3/10/21	Establishes that if a person crashes due to driving under the influence, and refuses to submit to a preliminary breath test, they may not recover noneconomic damages.
LB413	Wishart Health & Human Services	Require coverage of medications for substance use disorder treatment and addiction medicine services under the Medical Assistance Act	Hearing 2/5/21	Expands the Medical Assistance Act to incorporate medications for substance use disorder treatment.
LB415	Groene General Affairs Hughes, Vargas name added	Change provisions relating to microdistilleries under the Nebraska Liquor Control Act	Amended into LB274 as a part of AM870	Increases the microdistillery annual production cap from 10,000 gallons to 100,000 gallons.

LB519	Morfeld Judiciary	Provide immunity from arrest and prosecution for certain drug and alcohol offenses for witnesses and victims of sexual assaults	Hearing 2/5/21	Provides immunity for an individual (between 18 and 21 years of age) witnessing or experiencing sexual assault from alcohol (MIP) or drug offenses if the person reported the assault or requested emergency medical assistance.
LB578+* <i>Oppose</i>	Vargas; Wishart General Affairs	Impose a tax on ready-to-drink cocktails	Amended into LB274 as a part of AM427	Defines ready-to-drink cocktails as alcoholic beverages containing spirits with 12.5% or less alcohol by volume and sets the excise tax at \$0.31 per gallon versus the current rate for spirits of \$3.75 per gallon. Exempts beverages manufactured in the state for shipment out of the state for sale and consumption outside of the state.
LB581 <i>Oppose</i>	Hansen, B; Brandt, Clements, Erdman, Flood, Geist, Gragert, Lowe, Murman, Slama, Wishart Transportation & Telecommunications Albrecht, Briese, Morfeld, Linehan, Hughes, Aguilar name added	Change motorcycle, moped, and autocytle helmet provisions	Hearing 2/2/21	Provides an exemption for those 21 years and older to not be required to wear a helmet while on an autocytle, motorcycle, or moped. Requires eye protection for operators of autocycles, motorcycles and mopeds.
LR115	Lowe General Affairs	Interim study to examine and review liquor laws in Nebraska		Examine laws relating to the manufacture, sale, and distribution of alcohol; the types of liquor licenses, including special designated licenses (SDLs); and the taxes and fees that the Nebraska Liquor Control Commission collects.
LR174	Briese General Affairs	Interim study to examine issues within the jurisdiction of the General Affairs Committee		Examine issues within the jurisdiction of the General Affairs Committee
LR187	Cavanaugh, J General Affairs	Interim study to examine liquor laws in Nebraska		Examine laws relating to liquor license retail applications and their requirements; retail applications and the expansion of licensed premises; and the ability to permit the transfer of alcohol between retail locations with the same owner.

LR209	McDonnell; McKinney Appropriations	Interim study to examine the appropriations necessary for creating public health crisis zones	Examine the need for creation of public health crisis zones as relating to public health, behavioral health, poverty, substance abuse rates, and other related criteria; applicable funding for these zones; how other states have implanted these zones; and the funding, resources, and process needed to create them.
LR213	Day Education	Interim study to examine the mental and behavioral health needs of Nebraska students and the role of school psychologists	Examine the prevalence of student mental & behavioral health needs in Nebraska, including disorders in school-aged youth, suicide prevalence, amount of alcohol & controlled substance use, and number of students served through special education.

* Testimony provided by Project Extra Mile
+ Emergency clause included

The 107th Legislature, First Regular Session adjourned Sine Die on May 27, 2021.