STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER No. 20-06
CORONA VIRUS – RELIEF FOR RESTAURANT & BAR OPERATIONS

WHEREAS, in keeping with federal guidelines, the State of Nebraska has issued guidance throughout the State and has issued a Directed Health Measure applicable in Douglas, Sarpy, Cass, and Washington Counties to limit gatherings to 10 people or less to combat the spread of COVID-19; and

WHEREAS, Restaurants and bars across Nebraska are closing their dining areas and need flexibility to innovate by moving to takeout service, delivery, and/or curbside service; and

WHEREAS, restaurants and bars will continue to serve Nebraskans throughout the pandemic by altering their customary operations in order to provide takeout, delivery, curbside and drive-thru service options.

NOW THEREFORE, I Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, find these conditions merit the granting of a waiver of certain provisions of the Nebraska Liquor Control Act.

Pursuant to this declaration, I hereby order the Liquor Control Commission to implement the following temporary changes to provide relief to Nebraska restaurant and bar operations:

1. All Class A retail license holders shall be granted the same rights as Class B license holders, and all Class I retail licensees shall be granted the same rights as Class C license holders under Neb. Rev. Stat. §53-124(6). This change will allow businesses that are currently only authorized to sell alcohol in their establishments the ability to sell alcohol along with food take-out or delivery orders.

2. The provisions of Neb. Rev. Stat. §53-178.01 which prohibit the sale of alcohol to persons in a motor vehicle shall be suspended so that stores and restaurants can utilize drive-thru windows or curb-side "to go" pick-up procedures. This change is authorized to curtail individuals from entering into or congregating at business locations.

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3. The provisions of Neb. Rev. Stat. §53-149(2) that authorize issuance of a temporary operating permit shall be extended from ninety days to one hundred eighty days. This change is made because certain local government permitting and clerk's offices are closed. Under these circumstances, permit holders cannot receive approvals within the current statutory period.

4. The penalty and interest provisions for late payments contained in Neb. Rev. Stat. §53-164.01(3) & (4) shall be waived for the duration of the COVID-19 emergency.

5. The provisions of Neb. Rev. Stat §53-168 which require payment for the delivery of beer, wine, and distilled products either upon delivery or within thirty days of delivery are hereby waived. For the duration of the COVID-19 state of emergency, the thirty-day time period shall be extended to ninety days.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 19th day of March, 2020.

Pete Ricketts, Governor
State of Nebraska

Attest:

Robert B. Evnen,
Secretary of State
State of Nebraska