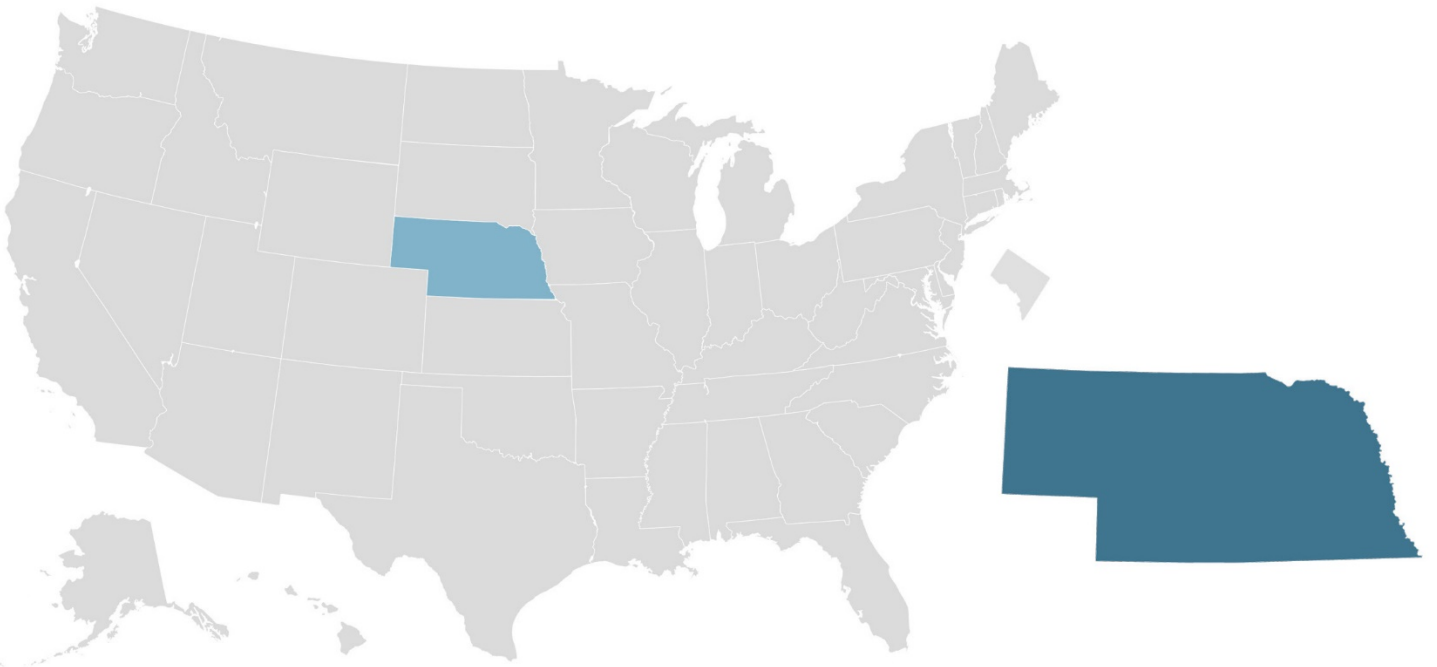




SAMHSA
Substance Abuse and Mental Health
Services Administration

Nebraska

2021 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**



This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2020. Regional and state profile data were drawn from the most recently available federal survey data as of 2019. State legal data reflect the status of the law as of January 1, 2020. State survey data, collected in 2020, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12- to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2016 through 2019 National Surveys on Drug Use and Health (NSDUH), the Substance Abuse and Mental Health Services Administration’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2020). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2011–2015 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2019 data used to present statistics about fatalities among 15- to 20-year-old drivers.

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Nebraska

State Population: 1,934,408

Population Ages 12–20: 239,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	49,000 (20.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	33,000 (13.8%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	2,000 (3.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	1,000 (1.5%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	12,000 (16.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	8,000 (9.9%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	34,000 (40.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	24,000 (29%)
Adults Ages 18 +	
Past-Month Alcohol Use – (Percentage)	(60.4%)
Past-Month Binge Alcohol Use – (Percentage)	(31.8%)
Age of Initiation of Alcohol Use	
Average Age of Initiation	16.2
Alcohol-Related Deaths	
Alcohol-Attributable Deaths (under 21)	19
Years of Potential Life Lost (under 21)	1,140
Fatal Crashes Involving a 15- to 20-Year-Old Driver with Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver with BAC > 0.01%	6
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	(13%)

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health System Overview¹⁵

Behavioral health in Nebraska covers services needs for both mental health and substance use disorders (SUDs). The publicly funded system is only one part of the overall behavioral healthcare system in Nebraska. Private funding sources such as insurance companies, private businesses, and individuals themselves also influence the way behavioral health services are provided in the state. Publicly funded services are administered by many different agencies including three of six different divisions within the Nebraska Department of Health and Human Services (DHHS): the Division of Behavioral Health (DBH); the Division of Medicaid and Long-Term Care (MLTC); and the Division of Children and Family Services (CFS).

The Nebraska Behavioral Health Services Act (NBHSA) designates the DBH as the chief behavioral health authority for the State [§71-806 (1)]. DBH is both the state mental health authority (SMHA) and the single state substance abuse authority (SSA). It is important to note that the authority does not extend to MLTC or CFS policy decisions. DBH administers, oversees, and coordinates the state's public behavioral health system to address the prevention and treatment of mental health and SUDs. The primary goal is to develop a behavioral health system that is co-occurring capable, trauma informed, recovery oriented, and person centered. DBH is responsible for managing both the Community Mental Health Services Block Grant (CMHSBG) and the Substance Abuse Prevention and Treatment Block Grant (SABG). DBH funds priority treatment and support services for individuals without Medicaid and individuals without insurance or who are underinsured, according to financial eligibility based on a sliding scale on income and family size. The Office of Consumer Affairs focuses on recovery initiatives, planning, research, and advocacy for behavioral health consumers.

The DBH Strategic Plan 2017–2020 emphasizes a system of care approach for the adult and youth systems. A recovery-oriented system of care assists consumers in achieving their optimal levels of self-sufficiency and independence by providing mental health, substance use prevention, and treatment and support services at the right time and place. The Nebraska adult system of care incorporates this conceptual framework and the associated system of care principles and core values into the spectrum of effective, community-based services and supports that is organized within a coordinated system of care network.

DBH contracts with the six Regional Behavioral Health Authorities (RBHAs) for community-based mental health and substance use disorder services. Originally established in 1974 as mental health regions, the NBHSA passed in 2004 incorporated substance use disorder services and revised the regional administrative entities into six RBHAs to mirror designation of DBH as the state's chief behavioral health authority. In addition to funding mental health and substance use disorder treatment and prevention services through the RBHAs, the DBH Community Based Services section directly contracts with entities for recovery and support services.

Prevention System

DBH is charged with the development of prevention, treatment, and recovery services for the State of Nebraska. DBH strives to maintain a sustainable and effective prevention system by

¹⁵ Extracted from fiscal year (FY) 2020/2021 – (Nebraska) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment (CSAT), Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

promoting safe and healthy environments that foster youth, family, and community development through best practices in mental health promotion, substance abuse prevention, and early intervention. Partnership with the six RBHAs and oversight by DBH's Network and Prevention Manager provides the infrastructure to support a comprehensive prevention system that promotes overall wellness. DBH contracts with the RBHAs for technical assistance, training, and data collection to support local coalitions and community entities. The majority of prevention activities purchased by DBH are carried out by the RBHAs' Prevention Coordination system, which is designed to operate at the community level, embracing local culture while leading the development of sustainable prevention activities for substance abuse and related societal problems through the life span. Funded primarily by the SABG and the Partnership For Success Grant, Regional Prevention Coordination staff utilize coexisting prevention efforts such as Strategic Prevention Framework – Partnerships for Success (SPF-PFS) Grant, Drug Free Communities Grant, and the Garrett Lee Smith (GLS) Youth Suicide Prevention Grant to establish common directives and target populations leading to optimal reach when planning training and technical assistance initiatives.

In cooperation and partnership with Regional Prevention System Coordinators, training events are funded throughout the state to introduce, enhance, and improve the use of evidence-based, promising, and local prevention strategies most appropriate to local community goals, utilizing the Strategic Prevention Framework (SPF) process. Local goals have included the reduction of underage drinking, reduction of driving under the influence, reduction of binge drinking, and preventing prescription drug abuse and marijuana use among youth. By requiring all communities to use the SPF model, and by providing effective statewide training and technical assistance in the use of the model, greater progress is being achieved in reducing substance abuse and related health consequences across the state.

Expenditures for Substance Abuse Prevention and Treatment

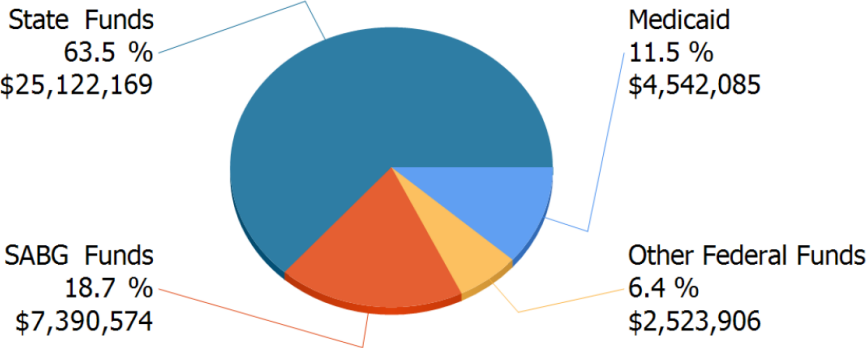
All states receive federal funds for substance abuse prevention through SABG funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Nebraska used for expenditures on substance abuse prevention and treatment in 2020. As indicated, state funds and SABG funds account for the largest sources (63.5 percent and 18.7 percent, respectively).¹⁶

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2020–2021, Nebraska designated reducing harmful alcohol use among youth and young adults as the number one priority for use of SABG funds.¹⁷

¹⁶ WebBGAS State Profile, 2020 SABG and MHBG Reports – Nebraska 2020.

¹⁷ FY 2020/2021 – (Nebraska) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, CSAT, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Nebraska’s 2020 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Nebraska's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

State Laws and Policies: These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

1. Underage possession or purchase of alcohol.
2. Underage drinking and driving.
3. Alcohol availability.
4. Sales and delivery to consumers at home.
5. Alcohol pricing.
6. Enforcement policies.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Underage Possession or Purchase of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	No
<ul style="list-style-type: none"> • Is possession allowed if parent or guardian is present or consents? • Is possession allowed if spouse is present or consents? 	No
Is there an exception based on location?	Yes, in a parent's/guardian's home
Notes: Nebraska makes an exception for persons who are at least sixteen years old to carry alcohol from licensed establishments when they are accompanied by any person who is not a minor.	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	No
<ul style="list-style-type: none"> • Is consumption allowed if parent or guardian is present or consents? • Is consumption allowed if spouse is present or consents? 	No
Is there an exception based on location?	Yes, in a parent's/guardian's home

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	N/A
<ul style="list-style-type: none"> • Is internal possession allowed if parent or guardian is present or consents? • Is internal possession allowed if spouse is present or consents? 	N/A
Is there an exception based on location?	N/A
Notes: Nebraska law provides that "...no minor may...consume, or have in his or her possession or physical control any alcoholic liquor...." See Neb. Rev. St. § 53-180.02. "Consume" is defined as "knowingly and intentionally drinking or otherwise ingesting alcoholic liquor." See Neb. Rev. St. § 53-103 prior to July 15, 2010, and Neb. Rev. St. § 53-103.11 effective on July 15, 2010. Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	Yes
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	No
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	0 with driver education; 50 hours without (10 of which must be at night))
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12:00 AM
Can law enforcement stop a driver for night driving violation as a primary offense?	No
Are there restrictions on passengers?	Yes; no more than one passenger under 19 who is not an immediate family member
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 (Passenger restrictions expire 6 months after issuance of intermediate license; unsupervised night driving restrictions remain until age 17)

Alcohol Availability

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is furnishing allowed if the parent or guardian supplies the alcohol? • Is furnishing allowed if the spouse supplies the alcohol? 	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Responsible Beverage Service (RBS)	
Is there a state law pertaining to Beverage Service Training?	Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> • Defense in dram shop liability lawsuits • Discounts in dram shop liability insurance, license fees, or other • Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons • Protection against license revocation for sales to minors or sales to intoxicated persons 	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	16
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

Notes: Employees between 16 and 19 years of age may complete a transaction for the sale of beer, wine, or spirits, if they do not handle or serve it.

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
Does a manager or supervisor have to be present when an underage person is selling beverages?	No
Notes: Employees between 16 and 19 years of age may complete a transaction for the sale of beer, wine, or spirits, but they cannot handle or serve it.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, no bottle club shall be operated within 300 feet from campus.
To which alcohol products does requirement apply?	Beer, wine, spirits
Notes: Although Nebraska law states a 300 foot limit, the Liquor Control Commission may waive it. If outlet is surrounded by or adjacent on two sides to university/college, then university/college must approve. Neb. Rev. Stat. § 53-177.01.	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 150 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 150 feet
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No

Does common law dram shop liability exist?	No
Notes: Injury or property damage must be a proximate result of the negligence of an intoxicated minor.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No
Notes: Injury or property damage must be a proximate result of the negligence of an intoxicated minor.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 5.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$500/3 months)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500/3 months)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Sales and Delivery to Consumers at Home

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Permitted
Wine	Permitted

Spirits	Permitted
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Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.31
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.95
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant

Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.75
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes

Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

Enforcement Policies

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	Not specified
What is the maximum age a decoy may be to participate in a compliance check?	20

Are there appearance requirements for the decoy?	Yes
Does decoy carry ID during compliance check?	Not specified
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No written guidelines
What is the time period for defining second, third and subsequent offenses?	4 years
What is the penalty for the first offense?	10-20 days suspension
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
<p>Notes: 1st offense - On guilty plea, 5-day suspension upon written certification from licensee that person making sale had completed, within the past 3 years, training program approved by Commission.</p> <p>2nd offense - Occurring within 4 years, 22-day suspension; within 3 years, 32 days; within 2 years, 42 days; within 1 year, 52 days</p> <p>3rd offense – Occurring within 4 yrs, 25-day suspension</p>	

Nebraska State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Nebraska State Patrol	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Nebraska State Patrol
Such laws are also enforced by local law enforcement agencies	Yes
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	Yes
Number of minors found in possession ¹ by state law enforcement agencies	1,909
Number pertains to the 12 months ending	12/31/2019
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of retail licensees in state ³	5,933
Number of licensees checked for compliance by state agencies (including random checks)	Not available
Number of licensees that failed state compliance checks	Not available
Numbers pertain to the 12 months ending	No data
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	No data
<i>State conducts random underage compliance checks/decoy operations</i>	No data
Number of licensees subject to random state compliance checks/decoy operations	No data
Number of licensees that failed random state compliance checks	No data
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	732
Number of licensees that failed local compliance checks	48
Numbers pertain to the 12 months ending	06/30/2020
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state ⁴	159
Total amount in fines across all licensees	No data
Smallest fine imposed	No data
Largest fine imposed	No data

Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	159
Total days of suspensions across all licensees	2,172 (43 mandatory)
Shortest period of suspension imposed (in days)	No data
Longest period of suspension imposed (in days)	No data
Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	No data
Numbers pertain to the 12 months ending	06/30/2020

Additional Clarification

The figure reported for minor in possession arrests represents all 2019 liquor law violation arrests of individuals under the age of 21, not just those specifically for minor in possession. Liquor law violations do not include DUI as those numbers are reported separately. If including DUI with all liquor law violations, this figure would be 2,351.

The Liquor Commission assigns suspension days and the licensee can choose if they would like to serve the suspension or pay the fine. A total of 159 licensees received suspensions but were given the option to pay the fines instead of being suspended. Of those, there were 43 mandatory days of suspension imposed when paying the fine was not an option.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Too Good for Drugs

Number of youth served	2,779
Number of parents served	247
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://toogoodprograms.org/pages/evidence-base
URL for more program information	https://toogoodprograms.org/

Program Description: Too Good for Drugs is an alcohol, tobacco, and other illicit drug prevention program designed to develop (1) resistance skills towards drugs, (2) goal-setting, decision-making, assertiveness, and communication skills, (3) knowledge about the negative consequences of drug use and benefits of being drug-free, and (4) knowledge about the prevalence of drug use in comparison to perceptions. The interactive lessons can be delivered by trained classroom teachers or program instructors during the school day in a 40 to 50-minute lesson once a week over nine weeks.

All Stars	
Number of youth served	367
Number of parents served	0

Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.crimesolutions.gov/ProgramDetails.aspx?ID=319
URL for more program information	https://allstarsprevention.com/

Program Description: All Stars programs are designed to prevent, reduce, and eliminate negative behaviors and promote positive behaviors. Each All Stars program, and every session and activity within All Stars, achieves these goals by changing qualities that account for why young people engage in negative behaviors. Various All Stars programs address the following concepts to some degree:

- Beliefs about consequences
- Bonding
- Commitment to not use or to reduce use
- Decision-making and impulsivity control
- Goal setting
- Idealism
- Norms
- Parental attentiveness
- Resistance skills training
- Self-management

Alcohol Literacy Challenge – High School

Number of youth served	398
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.crimesolutions.gov/ProgramDetails.aspx?ID=632
URL for more program information	https://alcoholliteracychallenge.com/

Program Description: Alcohol Literacy Challenge (ALC) is a brief classroom-based program designed to alter alcohol expectancies and reduce the quantity and frequency of alcohol use among high school and college students. Alcohol expectancies are an individual's beliefs about the anticipated effects of alcohol use, including those that are positive (e.g., increased sociability, reduced tension) and negative (e.g., impairments to mental and behavioral functioning, increased aggressiveness or risk-taking). Some of the most desired effects — arousing, positive, and prosocial effects — are placebo rather than pharmacological effects. ALC aims to correct erroneous beliefs about the effects of alcohol, decreasing positive and increasing negative expectancies. These shifts in expectancies have been shown to predict lower levels of alcohol use.

SPORT Prevention Plus Wellness

Number of youth served	267
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes

Evaluation report is available	Yes
URL for evaluation report	https://preventionplus.wellness.com/pages/evidence-based-registries-and-reviews-supporting-prevention-plus-wellness-program-effectiveness
URL for more program information	https://preventionplus.wellness.com/
Program Description: SPORT Prevention Plus Wellness is a health promotion program for high school adolescents to improve their physical fitness, nutrition, and sleep habits, and avoid alcohol, tobacco, and drug use. SPORT content highlights the positive image benefits of an active lifestyle by showing youth as active and fit, and emphasizes substance abuse as counterproductive to achieving positive image and behavior goals. The program consists of an in-person health behavior screen, a one-on-one consultation with the teens, a take-home fitness prescription targeting adolescent health promoting behaviors and discouraging alcohol use along with its risk and protective factors, and a flyer reinforcing key content of the consultation mailed to the home.	

Second Step

Number of youth served	132
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.secondstep.org/research
URL for more program information	https://www.secondstep.org/

Program Description: Second Step is a program rooted in social-emotional learning that helps transform schools into supportive, successful learning environments uniquely equipped to encourage children to thrive. More than just a classroom curriculum, Second Step's holistic approach helps create a more empathetic society by providing education professionals, families, and the larger community with tools to enable them to take an active role in the social-emotional growth and safety of today's children. Research shows that implementing social-emotional learning programs at an early age can equip adolescents with the decision-making and coping strategies to abstain from alcohol, tobacco, and other drugs.

Communities Mobilizing for Change on Alcohol

Number of youth served	54,285
Number of parents served	165,109
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.crimesolutions.gov/ProgramDetails.aspx?ID=269
URL for more program information	https://preventionsolutions.edc.org/services/sources/communities-

[mobilizing-change-alcohol-cmca](#)

Program Description: Communities Mobilizing for Change on Alcohol (CMCA) is a community organizing program designed to reduce youth access to alcohol by changing community and law enforcement policies, attitudes, and practices, and by targeting commercial and noncommercial availability of alcohol to underage drinkers.

Challenging College Alcohol Abuse

Number of youth served	6,098
Number of parents served	12,085
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.theathenaforum.org/sites/default/files/challenging_college_alcohol_abuse_3-23-12.pdf
URL for more program information	https://cdc.thehcn.net/promiseppractice/index/view?pid=843

Program Description: The Challenging College Alcohol Abuse (CCAA) program is a social norms and environmental management program that reduces high-risk drinking and related negative consequences in college students 18-24 years old. A campus-based media campaign and other strategies are used to address misconceptions about alcohol and make the campus environment less conducive to drinking. The amount of time required to deliver the program is 25-52 weeks.

Strengthening Families Program (10-14)

Number of youth served	1,239
Number of parents served	1,180
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.blueprintsprograms.org/programs/189999999/strengthening-families-10-14/
URL for more program information	https://youth.gov/content/strengthening-families-program-parents-and-youth-10%E2%80%9314

Program Description: Strengthening Families 10-14 is a seven-session program for families with young adolescents that aims to enhance family protective and resiliency processes and reduce family risk related to adolescent substance abuse and other problem behaviors. The weekly two-hour sessions include separate parent and child skills-building followed by a family session where parents and children practice the skills they have learned independently, work on conflict resolution and communication, and engage in activities to increase family cohesiveness and positive involvement of the child in the family.

Alcohol Compliance Checks

Number of youth served	33,589
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Number of parents served	26,877
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.theathenaforum.org/sites/default/files/xx_compliance_checks_6-28-12.pdf
URL for more program information	http://www.projectextramile.org/enforcement/compliance-checks

Program Description: Compliance checks involve the use of underage buyers by law enforcement agencies to test retailers' compliance with laws prohibiting the sale of alcohol to minors.

Across Ages

Number of youth served	288
Number of parents served	171
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.crimesolutions.gov/ProgramDetails.aspx?ID=314
URL for more program information	https://youth.gov/content/across-ages

Program Description: Across Ages is a school- and community-based substance abuse prevention project targeting youth ages 9-13 years. The unique feature of this program pairs older adult mentors (55+) with young adolescents to create a special bonding relationship. The project components include mentoring, community service, social competence training, and family activities. Mentors spend a minimum of two hours per week in contact with the youth. Youth spend one to two hours per week performing community service. Social competence training consists of 26 lessons that are taught weekly for 45 minutes. Family activities are monthly weekend events that are held for youth, their families, and mentors.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

Additional Clarification

The information provided is pulled from the Nebraska Prevention Information Reporting System (NPIRS). Demographics are entered by Department of Health and Human Services (DHHS) Division of Behavioral Health-funded community prevention coalitions. All individuals reached/served are grouped as 21 and over and listed in the parent box. There is no way for us to distinguish if they are parents and/or caregivers.

The timeline for data pulls for program demographics was 05/01/2019-04/30/2020.

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: Partnership on various initiatives occurs through the work of the Nebraska Prevention Advisory Council. Tribal representation has presented to the Advisory Council to update on the	

work of the tribal Partnerships for Success grant that the Winnebago tribe was awarded. The state also partners with the Winnebago and Ponca tribes through the Thurston County Collaborative to prevent underage drinking in Thurston County.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: Yes, many of the locally established community coalitions that are targeting underage drinking prevention initiatives have included efforts aimed at youth exposure to alcohol advertising, promotions, and marketing, including some strategies that are initiated by youth members themselves.	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: Talk. They Hear You; Talk About Alcohol	Yes
Regional and local media campaigns: Keep Your Kids [Substance] Free	Yes
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You." (TTHY)</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	Yes
Pro bono	No
Donated air time	No
Earned media	No
Other: Strategic Prevention Framework-Partnerships for Success (SPF-PFS) funding	Yes
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Justice (USDOJ)/Office of Juvenile Justice and Delinquency Prevention (OJJDP), National Highway Traffic Safety Administration (NHTSA)	Yes
Agency(ies) within your state: Nebraska Department of Health and Human Services	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The Surgeon General's Call to Action To Prevent and Reduce Underage Drinking (Health and Human Services [HHS], 2007) provides the framework for our underage drinking prevention initiatives.	
Additional guidance by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD) 2015 Report to Congress (RTC) on the Prevention and Reduction of Underage Drinking	

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Lindsey Hanlon
 Email: Lindsey.Hanlon@nebraska.gov
 Address: 301 Centennial Mall South Lincoln, NE
 Phone: (402) 471-7750

Agencies/organizations represented on the committee:

- Nebraska State Patrol
- Nebraska Department of Health and Human Services
- Nebraska Crime Commission
- Nebraska Liquor Control Commission
- Nebraska Attorney General
- Nebraska Department of Motor Vehicles
- University of Nebraska-Lincoln (UNL) and UNL Police
- Lincoln Police Department
- State Probation Office
- Project Extra Mile
- Nebraska Medical Association
- Nebraska Mothers Against Drunk Driving (MADD)
- Nebraska Public Health Association
- Nebraska Sheriff's Association
- Regional Behavioral Health Authorities
- Nebraska Children and Families Foundation
- Nebraska Department of Education

A website or other public source exists to describe committee activities Yes

URL or other means of access: <http://dhhs.ne.gov/Pages/Prevention-Advisory-Council.aspx>

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last three years Yes

Prepared by: Department of Health and Human Services, Prevention Advisory Council

Plan can be accessed via:

<http://dhhs.ne.gov/Behavioral%20Health%20Documents/Strategic%20Plan%202017-2020.pdf>

State has prepared a report on preventing underage drinking in the last three years Yes

Prepared by: Nebraska Department of Health and Human Services, Statewide Epidemiological Outcomes Workgroup (SEOW)

Report can be accessed via:

<http://dhhs.ne.gov/Behavioral%20Health%20Documents/Epidemiological%20Profile%20-%202017.pdf>

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended \$183,722

Estimate based on the 12 months ending 06/30/2019

K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended \$150,981

Estimate based on the 12 months ending 06/30/2019

Programs targeted to institutes of higher learning:

Estimate of state funds expended \$32,791

Estimate based on the 12 months ending 06/30/2019

Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included:	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No
Fines	No
Fees	No
Other: Not applicable	No

Description of funding streams and how they are used:

Not applicable

Additional Clarification

No data



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

