

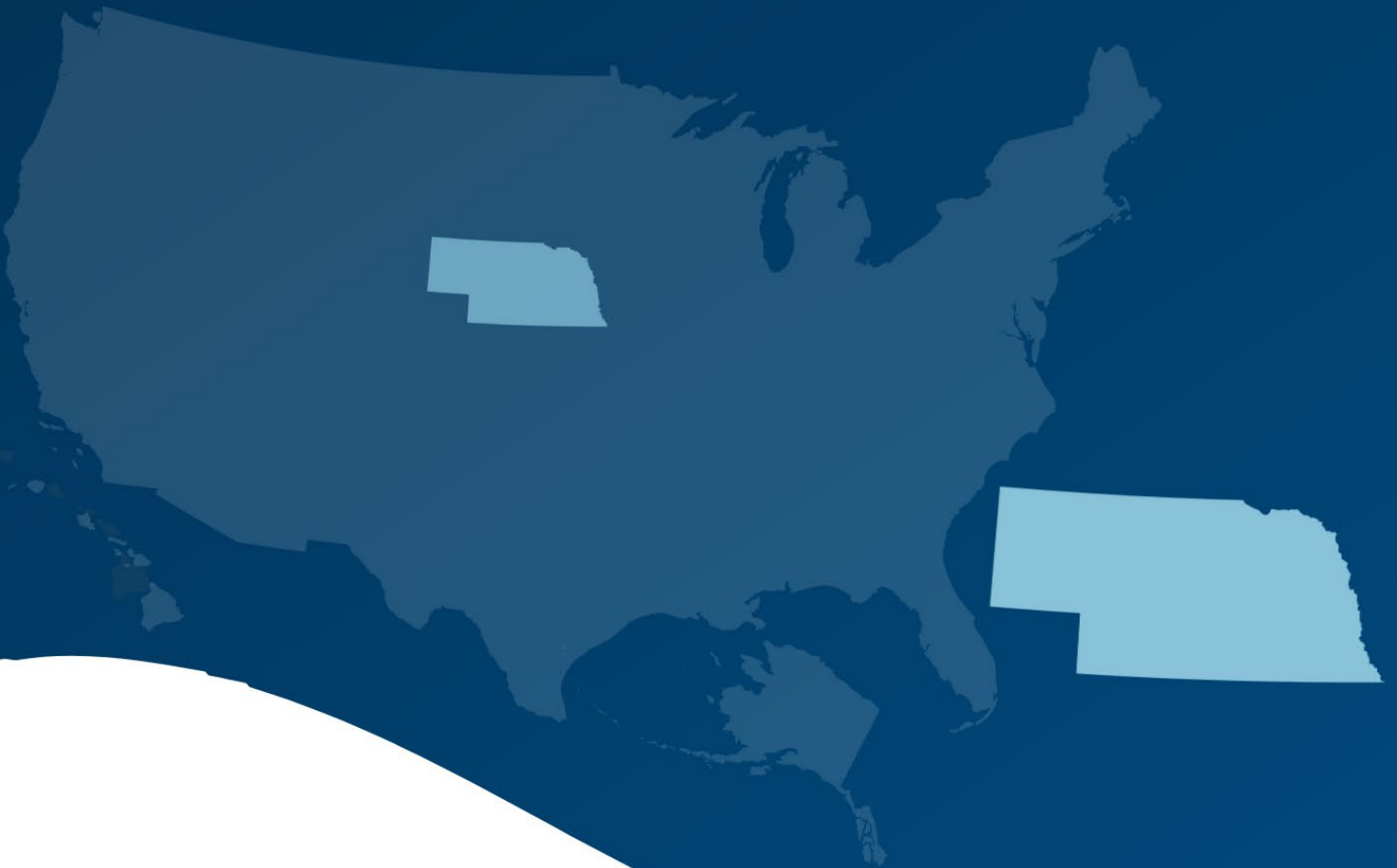
# 2023

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## STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT

*NEBRASKA*

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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), enacted by Congress in 2006 and reauthorized in December 2022 as part of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328). 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), chaired by Miriam Delphin-Rittmon, Ph.D., 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 2021 and 2022. Regional and state profile data were drawn from the most recently available federal survey data as of 2021. State legal data reflect the status of the law as of January 1, 2022. State survey data, collected in 2022, 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 2020 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 abstracted from the 2021 National Survey on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis. 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 (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 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 2021 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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## Nebraska

**State Population: 1,967,923**

**Population Ages 12–20: 251,000**

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	40,000 (15.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	25,000 (9.8%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	* (%)
Past-Month Binge Alcohol Use – Number (Percentage)	* (%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	* (%)
Past-Month Binge Alcohol Use – Number (Percentage)	* (%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	* (%)
Past-Month Binge Alcohol Use – Number (Percentage)	* (%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	839,000 (61.2%)
Past-Month Binge Alcohol Use – (Percentage)	386,000 (28.2%)
Average Age of Initiation	
Average Age of Initiation	16.3
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	22
Years of Potential Life Lost (under 21)	1,267
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>1</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	7
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	23%

\*Estimate was suppressed due to low statistical precision.

<sup>1</sup> 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 Overview<sup>1</sup>

Behavioral Health in Nebraska covers services needs for both Mental Health and Substance Use Disorders. 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: 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 designates the DBH as the chief behavioral health authority for the State [§71-806 (1)]. The 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. The DBH administers, oversees, and coordinates the state's public behavioral health system to address the prevention and treatment of mental health and substance use disorders. The primary goal is to develop a behavioral health system that is co-occurring capable, trauma-informed, recovery-oriented, and person-centered. The DBH is responsible for managing both the Community Mental Health Services Block Grant (CMHSBG) and the Substance Abuse Prevention and Treatment Block Grant (SAPTBG). 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 OCA focuses on recovery initiatives, planning, research, and advocacy for behavioral health consumers.

The DBH provides leadership in the administration, integration and coordination of the public behavioral health system and takes primary responsibility for the development, dissemination and implementation of the Division of Behavioral Health Strategic Plan for 2022-2024. Plan implementation is carried out by DBH and includes the Regional Centers, Office of Consumer Affairs (OCA), the six (6) Regional Behavioral Health Authorities (RBHAs) and system partners. Following is an expanded description of each component of the operational structure. At the state level, the DBH is comprised of three sections: DBH Central, Regional Centers, and Office of Consumer Affairs.

The DBH contracts with the six RBHAs for community based mental health and substance use services. Originally established in 1974 as mental health regions, the Nebraska Behavioral Health Services Act passed in 2004 incorporated substance use disorder services and revised the regional administrative entities into six RBHAs, to mirror designation of the DBH as the state's chief behavioral health authority. See the Local Level Organization section below for more details on the RBHAs. 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.

<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (Nebraska) State Behavioral Health Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

## Prevention System

The 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 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 Prevention System Administrator 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. DBH also contracts with the Nebraska Prevention Collegiate Alliance (NeCPA) to provide similar prevention training and technical assistance to institutions of higher education across the state. The majority of prevention activities purchased by the 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 Substance Abuse Prevention and Treatment Block Grant, and Partnership For Success-Grant, Regional Prevention Coordination staff utilize coexisting prevention efforts such as Strategic Prevention Framework – Partnerships for Success (SPF-PFS) grant, to establish common directives and target populations leading to optimal reach when planning training and technical assistance initiatives.

As a result of DBH's most recently completed needs assessment, statewide prevention goals have been identified and are included as part of DBH's overall strategic plan. These data driven priorities will guide prevention programming, decision-making, and policy development at the State, region and community level for the next 3 years. These priorities are also aligned with those of the Substance Abuse Prevention and Treatment Block Grant.

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 their 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.

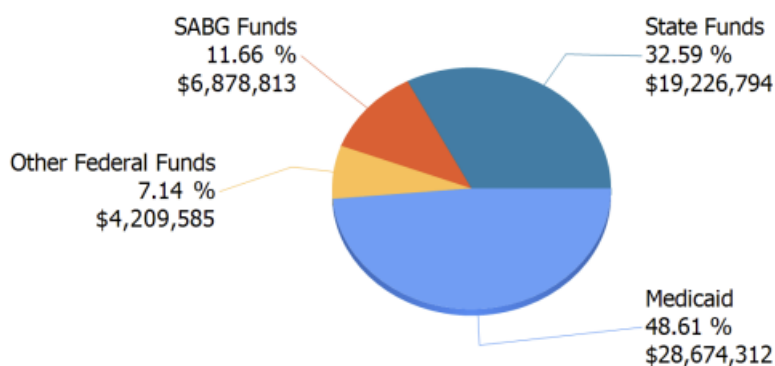
In addition, a Prevention Advisory Council (PAC) has been chartered to provide state and regional system leadership in substance abuse and mental health prevention to Nebraska's Behavioral Health system (NBHS). Additionally, the PAC has also been instrumental in making recommendations to strengthen the prevention system workforce. As a subcommittee of the State Advisory Council on Substance Abuse Services, the Prevention Council guides the DBH and related state agency partners.

## 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 2022. As indicated, Medicaid and state funds account for the largest sources (48.61 percent and 32.59 percent, respectively).<sup>2</sup>

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, Nebraska designated reducing harmful alcohol use among youth and young adults as the number one priority for use of SABG funds.<sup>3</sup>

**Exhibit 1: Sources of Nebraska's 2022 Expenditures for Substance Abuse Prevention and Treatment**



<sup>2</sup> WebBGAS State Profile, 2022 SABG and MHBG Reports – Nebraska 2022.

<sup>3</sup> FY 2022/2023 – (Nebraska) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

## 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:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- 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:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking



## Underage Possession or Purchase of Alcohol

Nebraska-Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• 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 only
Notes: Nebraska makes an exception for persons who are at least 16 years old to carry alcohol from licensed establishments when they are accompanied by any person who is not a minor.	

Nebraska-Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• 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 only

Nebraska-Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	N/A
• Is possession allowed if spouse is present or consents?	N/A
Is there an exception based on location?	N/A

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



Nebraska-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
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• 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

Nebraska-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

Nebraska-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

Nebraska-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

Nebraska-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• 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

Nebraska-Responsible Beverage Service (RBS)	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• 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)?	Not specified
Does the RBS law apply to new or existing licensees?	Not specified

Nebraska-Minimum Ages 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

**Nebraska-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)**

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.

**Nebraska-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: As of April 19, 2016, 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.

**Nebraska-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, and spirits

Notes: Although Nebraska law states a 300 foot limit, the 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. Â§ 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, and spirits

**Nebraska-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

Nebraska-Dram Shop Liability	
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.	

Nebraska-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.	

Nebraska-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

Nebraska-Keg Registration	
How is a keg defined (in gallons)?	Greater than or equal to 5.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (max fine/jail is \$500/3 months)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes
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

Nebraska-Keg Registration	
Must warning information be given to purchaser?	Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Nebraska-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

Nebraska-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

Nebraska-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, and 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

Nebraska-Direct Shipments/Sales	
Must the label state “Recipient must be 21 years old”?	Yes

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

Nebraska- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	No
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	N/A N/A N/A
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	N/A N/A N/A N/A
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	N/A N/A N/A
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	N/A N/A N/A



## Alcohol Pricing

Nebraska-Alcohol Taxes	
<b>Beer</b>	
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	
<b>Wine</b>	
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)	

Nebraska-Alcohol Taxes	
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 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
• 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 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
• 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 15 – 50% alcohol spirits if applicable	

Nebraska-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

Nebraska-Wholesaler Pricing Restrictions	
<b>Beer</b>	
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
<b>Wine</b>	
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)
<b>Spirits</b>	
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

Nebraska-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

Nebraska-Compliance Check Protocols	
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Nebraska-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?	Not specified
What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified
<p>Notes: 1st offense: On guilty plea, 5 days upon written cert 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, 2 days close plus 20 days; within 3 years, 2 days close plus 30 days; within 2 years, 2 days close plus 40 days; within 1 year, 2 days close plus 50 days.</p> <p>3rd offense: Within 4 years, 5 days close plus 20 days.</p>	

## Nebraska State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Nebraska State Patrol

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws 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

State collects data on the number of minors found in possession Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 1,316

Number pertains to the 12 months ending 12/31/2021

Data include arrests/citations issued by local law enforcement agencies Yes

State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state<sup>3</sup> 6,474

Number of licensees checked for compliance by state agencies (including random checks) No data

Number of licensees that failed state compliance checks No data

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

State conducts **random** underage compliance checks/decoy operations 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

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of licensees checked for compliance by local agencies 1,211

Number of licensees that failed local compliance checks 112

Numbers pertain to the 12 months ending 12/31/2021

### Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state<sup>4</sup> 162

Total amount in fines across all licensees \$154,350

Smallest fine imposed No data

Largest fine imposed No data

Numbers pertain to the 12 months ending 12/31/2021

<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 <sup>5</sup>	No data
Total days of suspensions across all licensees	No data
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	No data
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	No data
Numbers pertain to the 12 months ending	No data

#### Additional Clarification

No data

<sup>1</sup> Or having consumed or purchased per state statutes.

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

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

#### Underage Drinking Prevention Programs Operated or Funded by the State

##### Across Ages

Number of youth served	105
Number of parents served	108
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.crimesolutions.gov/ProgramDetails.aspx?ID=314">https://www.crimesolutions.gov/ProgramDetails.aspx?ID=314</a>
URL for more program information:	<a href="https://cdc.thehcn.net/promiseppractice/index/view?pid=840">https://cdc.thehcn.net/promiseppractice/index/view?pid=840</a>

**Program Description:** Across Ages is a school- and community-based substance abuse prevention project targeting youth ages 9–13. 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.

##### Too Good for Drugs & Violence

Number of youth served	2,890
Number of parents served	1,615
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://toogoodprograms.org/pages/evidence-base">https://toogoodprograms.org/pages/evidence-base</a>
URL for more program information:	<a href="https://toogoodprograms.org">https://toogoodprograms.org</a>

**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 40–50 minute lesson once a week over nine weeks.

#### **Alcohol Literacy Challenge**

Number of youth served	72
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.crimesolutions.gov/ProgramDetails.aspx?ID=632">https://www.crimesolutions.gov/ProgramDetails.aspx?ID=632</a>
URL for more program information:	<a href="https://alcoholliteracychallenge.com/">https://alcoholliteracychallenge.com/</a>

**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.

#### **All Stars**

Number of youth served	165
Number of parents served	1
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.crimesolutions.gov/ProgramDetails.aspx?ID=319">https://www.crimesolutions.gov/ProgramDetails.aspx?ID=319</a>
URL for more program information:	<a href="https://allstarsprevention.com/">https://allstarsprevention.com/</a>

#### **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



**Challenging College Alcohol Abuse**

Number of youth served	5,753
Number of parents served	19,575
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://theathenaforum.org/sites/default/files/challenging_college_alcohol_abuse_3-23-12.pdf">https://theathenaforum.org/sites/default/files/challenging_college_alcohol_abuse_3-23-12.pdf</a>
URL for more program information:	<a href="https://cdc.thehcn.net/promiseppractice/index/view?pid=843">https://cdc.thehcn.net/promiseppractice/index/view?pid=843</a>

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

**Communities Mobilizing for Change on Alcohol**

Number of youth served	40161
Number of parents served	83709
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.crimesolutions.gov/ProgramDetails.aspx?ID=269">https://www.crimesolutions.gov/ProgramDetails.aspx?ID=269</a>
URL for more program information:	<a href="https://preventionsolutions.edc.org/services/resources/communities-mobilizing-change-alcohol-cmca">https://preventionsolutions.edc.org/services/resources/communities-mobilizing-change-alcohol-cmca</a>

**Program Description:** Communities Mobilizing for Change on Alcohol 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.

**Compliance Checks**

Number of youth served	19,8628
Number of parents served	528
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.theathenaforum.org/sites/default/files/xx_compliance_checks_6-28-12.pdf">https://www.theathenaforum.org/sites/default/files/xx_compliance_checks_6-28-12.pdf</a>
URL for more program information:	<a href="http://www.projectextramile.org/enforcement/compliance-checks">http://www.projectextramile.org/enforcement/compliance-checks</a>

**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.

**Second Step**

Number of youth served	30,723
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.secondstep.org/research">https://www.secondstep.org/research</a>
URL for more program information:	<a href="https://www.secondstep.org/">https://www.secondstep.org/</a>

**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.

**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. 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 01/01/2021-12/31/2021.

**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
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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 community to prevent underage drinking.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
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Description of program: Many of the locally established community coalitions that target underage drinking prevention initiatives have included efforts aimed at youth exposure to alcohol advertisements, promotions, and marketing, including some strategies that are initiated by youth members.

<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
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Federal campaigns: "Talk. They Hear You." and DCD Rx Awareness	Yes
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Regional and local media campaigns: Keep Your Kids [Substance] Free and Talk Heart 2 Heart	Yes
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Local school district efforts:	No
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Other:	No
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<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
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State officially endorses TTHY efforts	Yes
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State commits state resources for TTHY	Yes
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State forwards TTHY materials to local areas	Yes
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Other:	No
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<i>State procures funding for TTHY</i>	Yes
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Pro bono	Yes
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Donated air time	Yes
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Earned media	Yes
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Other:	No
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<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): SAMHSA, USDOJ, OJJDP, NHTSA	Yes
Agency(ies) within your state: Nebraska DHHS	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The Surgeon General's Call to Action to Prevention and Reduce Underage Drinking (Health and Human Services), 2007) provides the framework for our underage drinking prevention initiatives.	
The Prevention System within the Nebraska DHHS Division of Behavioral Health utilizes the Strategic Prevention Framework to plan and implement activities surrounding underage drinking prevention at state, regional, and community levels.	
Additional guidance by the Interagency Coordinating Committee on the Prevention of Underage Drinking.	

#### Additional Clarification

No data

#### State Interagency Collaboration

<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
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#### Committee contact information:

Name: Danielle Wing  
Email: danielle.wing@nebraska.gov  
Address: 301 Centennial Mall South  
Phone: (402) 471-7750

#### Agencies/organizations represented on the committee:

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

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="https://dhhs.ne.gov/Pages/Prevention-Advisory-Council.aspx">https://dhhs.ne.gov/Pages/Prevention-Advisory-Council.aspx</a>	

#### Underage Drinking Reports

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: DHHS Division of Behavioral Health in coordination with the Prevention Advisory Council.	
Plan can be accessed via: No data	

<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Statewide Epidemiological Outcomes Workgroup (SEOW)	
Report can be accessed via: <a href="https://dhhs.ne.gov/Pages/Statewide-Epidemiological-Outcomes-Work-Group.aspx">https://dhhs.ne.gov/Pages/Statewide-Epidemiological-Outcomes-Work-Group.aspx</a>	

#### Additional Clarification

No data

**State Expenditures for the Prevention of Underage Drinking***Compliance checks in retail outlets:*

Estimate of state funds expended	Data unavailable
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Estimate based on the 12 months ending	Data unavailable
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*Checkpoints and saturation patrols:*

Estimate of state funds expended	No data
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Estimate based on the 12 months ending	No data
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*Community-based programs to prevent underage drinking:*

Estimate of state funds expended	\$46,222
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Estimate based on the 12 months ending	12/31/2021
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*K–12 school-based programs to prevent underage drinking:*

Estimate of state funds expended	\$71,171
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Estimate based on the 12 months ending	12/31/2021
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*Programs targeted to institutes of higher learning:*

Estimate of state funds expended	\$3,857
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Estimate based on the 12 months ending	12/31/2021
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*Programs that target youth in the juvenile justice system:*

Estimate of state funds expended	No data
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Estimate based on the 12 months ending	No data
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*Programs that target youth in the child welfare system:*

Estimate of state funds expended	No data
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Estimate based on the 12 months ending	No data
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*Other programs:*

Programs or strategies included: Information Dissemination and Problem ID & Referral Activities aimed at preventing or reducing underage alcohol use.	
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Estimate of state funds expended:	\$52,047
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Estimate based on the 12 months ending:	12/31/2021
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**Funds Dedicated to Underage Drinking***State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
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Fines	No
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Fees	No
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Other: Not applicable	No
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*Description of funding streams and how they are used:*

Not applicable
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**Additional Clarification**

No data



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