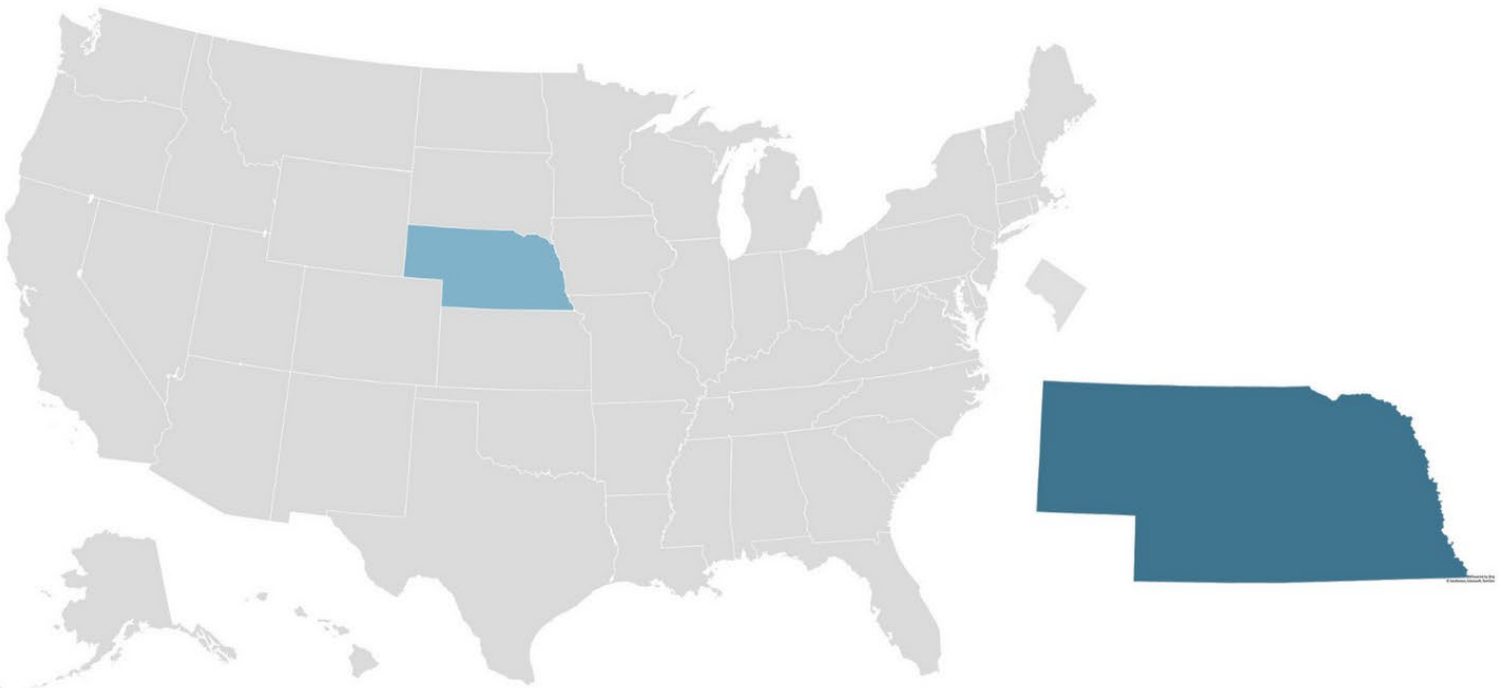




SAMHSA
Substance Abuse and Mental Health
Services Administration

Nebraska

2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

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

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 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), 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 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, 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 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). 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 2020 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.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2022). *2022 Nebraska State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

Staff Chair and Point of Contact, ICCPUD:

Robert M. Vincent, MS.Ed

Associate Administrator for Alcohol Prevention and Treatment Policy

ICCPUD Staff Chair

Substance Abuse and Mental Health Services Administration (SAMHSA)

Center for Substance Abuse Prevention (CSAP)

Office of the Director

Phone: (240) 276-1582

Email: Robert.Vincent@samhsa.hhs.gov

Nebraska Governor’s Designated Contact for STOP Act State Survey:

Sheri Dawson

Director, Division of Behavioral Health
Department of Health and Human Services

Phone: (402) 471-7856

Email: Sheri.Dawson@nebraska.gov



NEBRASKA



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



Nebraska

State Population: 1,937,552

Population Ages 12–20: 236,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	48,000 (20.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	32,000 (13.5%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	3,000 (3.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	1,000 (1.1%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	12,000 (15.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	6,000 (8.7%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	33,000 (41.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	24,000 (30.9%)
Adults Ages 21+	
Past-Month Alcohol Use – (Percentage)	850,000 (63.1%)
Past-Month Binge Alcohol Use – (Percentage)	433,000 (32.1%)
Average Age of Initiation	
Average Age of Initiation	15.8
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 ¹	
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% ²	
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	21%

¹ The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

² 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 Overview¹

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.

¹ 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.

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

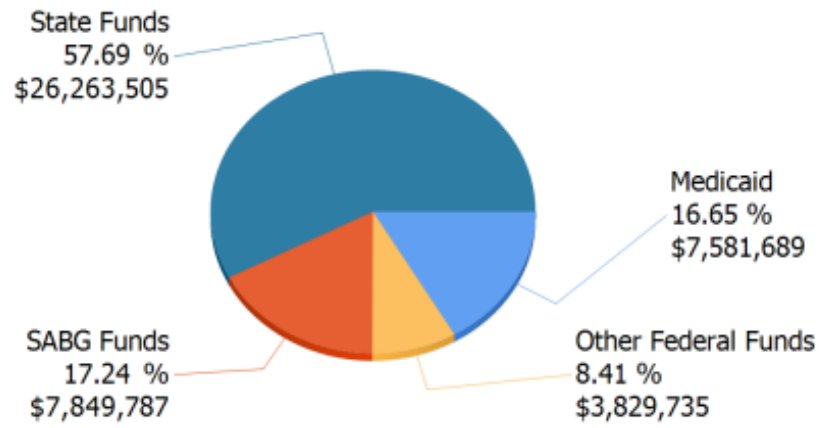
All states receive federal funds for substance abuse prevention through SABG funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Nebraska used for expenditures on substance abuse prevention and treatment in 2021. As indicated, state funds and SABG funds account for the largest sources (57.69 percent and 17.24 percent, respectively).²

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.³

² WebBGAS State Profile, 2021 SABG and MHBG Reports – Nebraska 2021.

³ 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.

Exhibit 1: Sources of Nebraska's 2021 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:

- 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?	
<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 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.	

Nebraska-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<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 No
Is there an exception based on location?	Yes, in a parent's/guardian's home

Nebraska-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<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 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.	

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
Do state statutes or regulations mandate that state driver's licenses for persons under 21 be 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

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?	Midnight
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?	
<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 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)—Voluntary	
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?	
<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 No No 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

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
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: 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, but 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.	
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
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)?	Equal to or greater 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

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/manufacturer 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

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"> • Restaurant • Bar license • Third party license 	N/A N/A N/A
Which types of alcohol are permitted to be delivered?	
<ul style="list-style-type: none"> • Beer • Wine • Spirits • Mixed Drinks 	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"> • Hours limited • Amount of alcohol limited • Food requirement 	N/A N/A N/A
Are there certain requirements that the delivery person must meet?	
<ul style="list-style-type: none"> • Must be 21 • Must check ID at point of delivery • Must receive payment regardless of delivery completion 	N/A N/A N/A

Alcohol Pricing

Nebraska-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
<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 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
<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 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
<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 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	

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	
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 maximum)
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 maximum)

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
May decoy verbally exaggerate his or her actual age?	Permitted

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?	Four 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 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, 22-day suspension; within 3 years, 32 days; within 2 years, 42 days; within 1 year, 52 days</p> <p>3rd offense - Within 4 years, 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>	
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>	
Number of minors found in possession ¹ by state law enforcement agencies	1,599
Number pertains to the 12 months ending	12/31/2020
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>	
Data are collected on these activities	Yes
Number of retail licensees in state ³	6,135 (as of 7/12/2021)
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
<i>State conducts random underage compliance checks/decoy operations</i>	
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>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	925
Number of licensees that failed local compliance checks	83
Numbers pertain to the 12 months ending	06/30/2021
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	
Number of fines imposed by the state ⁴	113
Total amount in fines across all licensees	\$94,700
Smallest fine imposed	No data
Largest fine imposed	No data

Numbers pertain to the 12 months ending	06/30/2021
<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 ⁵	No data
Total days of suspensions across all licensees	1,409 (12 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	06/30/2021
<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	No data

Additional Clarification

The figure reported for minor in possession arrests represents all 2020 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 2,068.

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 113 licensees received fines and/or suspensions but were given the option to pay the fines instead of being suspended. Of the 1,409 suspension days, there were 12 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

Across Ages

Number of youth served	154
Number of parents served	135
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 2 hours per week in contact with the youth. Youth spend 1–2 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	1,795
Number of parents served	279
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 40–50 minute lesson once a week over 9 weeks.

Alcohol Literacy Challenge

Number of youth served	493
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.

All Stars

Number of youth served	92
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

Challenging College Alcohol Abuse

Number of youth served	485
Number of parents served	133
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	http://www.dontletminorsdrink.com/downloads/Challenging%20CAA.pdf
URL for more program information:	https://cdc.thehcn.net/promiseppractice/index/view?pid=843

Program Description: The Challenging College Alcohol Abuse (CAA) program is a social norms and environmental management program that reduces high-risk drinking and related negative consequences in college students 18–24 years. 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	30,716
Number of parents served	108,768
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/resources/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.

Compliance Checks

Number of youth served	9,059
Number of parents served	14,709
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.

Second Step

Number of youth served	452
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.

Strengthening Families

Number of youth served	109
Number of parents served	119
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	https://strengtheningfamiliesprogram.org/evaluation/
URL for more program information:	https://strengtheningfamiliesprogram.org/

Program Description: The Strengthening Families Program (SFP) is an evidence-based family skills training program for high-risk and general population families that is recognized both nationally and internationally. Parents and youth attend weekly SFP skills classes together, learning parenting skills and youth life and refusal skills.

MyStudentBody

Number of youth served	364
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.mystudentbody.com/hbg/publicpage/research
URL for more program information:	https://www.mystudentbody.com/hbg/

Program Description: MyStudentBody is a comprehensive, evidence-based, online prevention program aimed at reducing the risk of drug and alcohol abuse and sexual violence among college students.

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 07/01/2020-12/31/2020.

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking 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.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing 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.

State collaborates with/participates in media campaigns to prevent underage drinking Yes

Federal campaigns: "Talk. They Hear You." and CDC Rx Awareness Yes

Regional and local media campaigns: Keep Your Kids [Substance] Free and Talk Heart 2 Heart Yes

Local school district efforts: No

Other: No

State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You." Yes

State officially endorses TTHY efforts Yes

State commits state resources for TTHY Yes

State forwards TTHY materials to local areas Yes

Other: No

State procures funding for TTHY Yes

Pro bono Yes

Donated air time Yes

Earned media Yes

Other: No

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, USDOD, 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 [HHS], 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 (SPF) 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 (ICCPUD) 2019 Report to Congress (RTC) on the Prevention and Reduction 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
<i>Committee contact information:</i>	
Name: Danielle Wing	
Email: danielle.wing@nebraska.gov	
Address: 301 Centennial Mall South, Lincoln, NE 68509	
Phone: 402-471-7750	
<i>Agencies/organizations represented on the committee:</i>	
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 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: http://dhhs.ne.gov/Pages/Prevention-Advisory-Council.aspx	
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: 2021 Epidemiological Profile - going through final approvals and will be publicly available on the DHHS website	
Additional Clarification	
No data	
State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$34,781
Estimate based on the 12 months ending	06/30/2021
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$7,938.75

Estimate based on the 12 months ending	06/30/2021
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$9,218
Estimate based on the 12 months ending	06/30/2021
<i>Programs that target youth in the juvenile justice system:</i>	
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: Information Dissemination and Problem ID & Referral Activities aimed at preventing or reducing underage alcohol use.	
Estimate of state funds expended:	\$45,365.96
Estimate based on the 12 months ending:	06/30/2021
Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other: Not applicable	No
<i>Description of funding streams and how they are used:</i>	
Not applicable	
Additional Clarification	
No data	



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

ICCPUD