

## LEGISLATIVE BILL 1375

Approved by the Governor March 24, 1972

Introduced by Jerome Warner, 25th District

AN ACT to amend section 53-149, Reissue Revised Statutes of Nebraska, 1943, relating to liquor; to modify the length of time that an executor, administrator, or trustee may exercise the privileges of a deceased, insolvent, or bankrupt licensee; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 53-149, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-149. A license shall be purely a personal privilege, good for not to exceed one year after issuance unless sooner revoked as in this act provided, and shall not constitute property, nor shall it be subject to attachment, garnishment, or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee, the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, and a partnership upon the death of one or more of the partners, may continue the business of the sale or manufacture under order of the appropriate court, and may exercise the privileges of the deceased, insolvent or bankrupt licensee, or deceased partner after the death of such decedent, or such insolvency or bankruptcy, until the expiration of such license but not longer than twelve months after the death, bankruptcy or insolvency of such licensee or partner until the expiration of such license, but if such license would have expired within two months following the death of the licensee, the license may be renewed by the administrators or executors with the approval of the appropriate court for a period not to exceed one additional year; and provided further, that the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale or manufacture under order of the appropriate court, and may exercise the privileges of the insolvent or bankrupt licensee until

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the expiration of such license.

Sec. 2. That original section 53-149, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.