

## ❖ NEW APPLICANT GUIDELINE

### ❖ INDIVIDUAL

- Applicant and Spouse
  - Must be a resident of Nebraska and legally able to work in Nebraska
  - Must file proof of voter registration in Nebraska
  - Must file U.S. birth certificate, U.S. passport, naturalization paper or permanent residency card
  - Must file fingerprint cards
  - Must submit social security number
  - Must submit date of birth
  - Must sign application
    - ❖ Spouse is exempt if they file form 116 “Affidavit of Non Participation” (may not work or have any involvement with the day to day operation of the business). Need not file any of the above information.

### ❖ PARTNERSHIP

- All partners and Spouses
  - Must be a resident of Nebraska and legally able to work in Nebraska
  - Must file U.S. birth certificate, U.S. passport, naturalization paper or permanent residency card
  - Must file fingerprint cards
  - Must submit social security number
  - Must submit date of birth
  - Must sign application
- One Partner and Spouse
  - Must be resident of Nebraska
  - Must file proof of voter registration in Nebraska
    - ❖ Spouse is exempt if they file form 116 “Affidavit of Non Participation” (may not work or have any involvement with the day to day operation of the business). Need not file any of the above information.

### ❖ CORPORATION & LIMITED LIABILITY COMPANY (LLC)

- All officers, directors, members and spouses
  - Must be listed on application
  - Managing member/CEO and all stockholders and members holder over 25% stock/interest
  - Must submit social security number

- Must submit date of birth
- Must sign application
- President/CEO/Managing Member
  - Must file fingerprint cards
  - Must submit social security number
  - Must submit date of birth
- Stockholder(s), member(s) over 25% interest
  - Must file fingerprint cards
  - Must submit social security number
  - Must submit date of birth
    - ❖ Spouse is exempt if they file Form 116 “Affidavit of Non Participation” (may not work or have any involvement with the day to day operation of the business). Need not file any of the above information.

## ❖ **MANAGER**

- Applicant and Spouse
  - Must be a resident of Nebraska and legally able to work in Nebraska
  - Must file proof of voter registration in Nebraska
  - Must file U.S. birth certificate, U.S. passport, naturalization paper or permanent residency card
  - Must file fingerprint cards
  - Must sign application
  - Must submit social security number
  - Must submit date of birth
    - ❖ Spouse is exempt if they file Form 116 “Affidavit of Non Participation” (may not work or have any involvement with the day to day operation of the business). Need not file any of the above information.

## ❖ **NON PROFIT ORGANIZATIONS**

- Officers and spouses
  - Must list top four officers of originations (president, vice president, secretary, treasurer)
  - Must be signed by President only
  - Need not file fingerprint cards
  - Spouse need not be listed or sign application
    - ❖ Spouse is exempt if they filed Form 116 “Affidavit of Non Participation Insert” (may not work or have any involvement with the day to day operation of the business). Need not file any of the above information.

## ❖ LIMITED PARTNERSHIP HELD BY CORPORATION OR LIMITED LIABILITY COMPANY (LCC)

- Corporation or (LLC)
  - Must file corporation or LLC insert and/or organizational chart
  - All officers from the General Partnership must sign application
  - Only manager needs to file fingerprints, social security number, date of birth
    - ❖ Spouse is exempt if they filed Form 116 “Affidavit of Non Participation Insert” (may not work or have any involve with the day to day operation of the business). Need not file any of the above information.

## ❖ CONTROLLING CORPORATION

- Control Corporation or LLC
  - Must file form 185
  - Must be registered with the Nebraska Secretary of State Office
  - Must send copy of articles of incorporation
  - No fingerprints required

## ❖ PUBLICLY TRADED CORPORATIONS

- Need to only list top four (4) officers President or Chief Executive Officer (CEO); Vice President; Secretary and Treasurer
- Need to list only stockholders over 25%, may attach organizational chart

## ❖ ALCOHOL SERVER TRAINING

- Individual Applicant
  - Individual and spouse; spouse is exempt if they filed Form 116 “Affidavit of Non Participation Insert”
- Partnership Applicants
  - All partners and spouses; spouses are exempt if they filed Form 116 “Affidavit of Non Participation Insert”
- Limited Liability Company (LLC) Applicants
  - All members of LLC, manager and all spouses; spouse is exempt if they filed Form 116 “Affidavit of Non Participation Insert”
- Corporation Applicants
  - President, stockholders holding 25% or more of shares, manager and all spouses; spouses are exempt if they filed Form 116 “Affidavit of Non Participation Insert”

# New Application Requirement Guide

	List on appl.	Sign appl.	Prints	US Citizen Resident	Birth Cert	NE Voter	Spouse Affidavit	SS #	DOB	TRAINING
<b>Corporation (Form 101) LLC (Form 102)</b> (also requires Corporate Manager)										
President/CEO	Y	Y	Y	N	N	N	N	Y	Y	Y
Managing Member	Y	Y	Y	N	N	N	N	Y	Y	Y
Over 25% interest	Y	Y	Y	N	N	N	N	Y	Y	Y
25% or less interest	Y	N	N	N	N	N	N	N	N	N
Participating Spouse	Y	Y	Y	N	N	N	N	Y	Y	Y
Non-participating Spouse	Y	N	N	N	N	N	Y	N	N	N

<b>Individual (Form 104) Partnership (Form 105)</b>										
Applicant	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
One Partner	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Participating Spouse	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Non-participating Spouse	N	N	N	N	N	N	Y	N	N	N

<b>Non-Profit Organizations (Form 101)</b> (also requires Corporate Manager)										
President	Y	Y	N	N	N	N	N	N	N	N
Three additional top officers	Y	N	N	N	N	N	N	N	N	N
Spouse	N	N	N	N	N	N	N	N	N	N

<b>Corporate Manager (Form 103)</b>										
Manager	Y	Y	Y	N	Y	Y	N	Y	Y	Y
Participating Spouse	Y	Y	Y	N	Y	Y	N	Y	Y	Y
Non-participating Spouse	Y	N	N	N	N	N	Y	N	N	N

Limited Partnership held by two companies - only the manager needs to be fingerprinted			
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Controlling Corporation must file Form 185 and articles of incorporation – no fingerprints required			
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**Potential applicant(s) should become familiar with the Nebraska Liquor Control Act**  
(found at <https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=53> )  
**and The Nebraska Liquor Control Commission’s Rules and Regulations**  
(found at <https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/Rules%20and%20Regulations.pdf> )  
**prior to considering filing an application for a liquor license.**

**You may consult an attorney familiar with the alcohol industry in Nebraska at your own expense, if you need assistance understanding the requirements, rules, regulations and statutes (laws).**

**The applicant(s) should pay special attention to the following Statutes, Rules and Regulations:**

**§53-125 Classes of persons to whom no license issued**

(Found at <https://nebraskalegislature.gov/laws/statutes.php?statute=53-125> )

**§53-126 License to corporations, conditions**

(Found at <https://nebraskalegislature.gov/laws/statutes.php?statute=53-126> )

**Rules and Regulations Chapters 1, 2, 3 and 6**

(Found at <https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/Rules%20and%20Regulations.pdf> )

**Especially Chapter 1 section 005; Chapter 2 sections 008, 009; Chapter 3 sections 002; Chapter 6 sections 017, 019**

### **ALCOHOL SERVER TRAINING (when required)**

1. When an applicant and / or manager indicates that they have little or no training or experience in the selling or serving of alcohol on their application, a NLCC Certified Training Program will be completed and course completion documentation with processing fees submitted to NLCC for training certification within 60 days from receipt of the application.
2. Training is required as follows

#### **Corporation Applicants**

President, Stockholders holding 25% or more of shares, Manager and all Spouses; Spouses are exempt if they filed Form 116 “Affidavit of Non-Participation Insert”; Officers are exempt if they reside out of State

#### **Limited Liability Company (LLC) Applicants**

All Members of LLC, Manager and all Spouses; Spouse is exempt if they filed Form 116 “Affidavit of Non-Participation Insert”

#### **Partnership Applicants**

All partners and Spouses; Spouses are exempt if they filed Form 116 “Affidavit of Non-Participation Insert”

#### **Individual Applicant**

Individual and Spouse; Spouse is exempt if they filed Form 116 “Affidavit of Non-Participation Insert”

Examples of Acceptable Identification other than US Birth Certificate:



**PERMANENT RESIDENT (AKA GREEN CARD)**

If you are inside the U.S. for an allowed reason, then you can ask to live here permanently. Here are some examples:

**Relatives of U.S. citizens** – Children, spouses, parents, and siblings of U.S. citizens

**Relatives of Green Card holders** – Spouses and unmarried children

**Workers** – If you are in the U.S. with a temporary work visa and have been offered a permanent job

**Cuban citizens** – A Cuban who received permission to enter the U.S. after January 1, 1959 has since been inside the U.S. for at least one year

**Refugees and Asylees** – Refugees and Asylees must prove that you are still an asylee, refugee, or refugee's spouse or child and that you've been inside the U.S. for 1 year since were allowed to enter for that reason.

**EMPLOYMENT AUTHORIZATION CARD**

**Who's eligible for an EAD?**

Certain foreign residents living in the U.S. and who are looking for employment.

**Qualifying visa categories:**

<ul style="list-style-type: none"> <li>E-1/E-2 spouses (trade/business/investor)</li> <li>F-1 (Student)</li> <li>J-2 (Exchange Visitor Spouse / Children)</li> </ul>	<ul style="list-style-type: none"> <li>K-1, K-2 or K-3 (Fiancé, Fiancé Child or Non-Immigrant)</li> <li>L-1 (Work) spouses</li> <li>M-1 (Vo-Tech Student)</li> </ul>
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Or persons in one of these statuses

<ul style="list-style-type: none"> <li>DACA recipients</li> </ul>	<ul style="list-style-type: none"> <li>Asylee and Refugee</li> </ul>
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- Temporary Protected Status (TPS) recipient
- Applicant waiting for Adjustment of Status