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NEBRASKA LIQUOR CONTROL COMMISSION

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Industry Advisory - Enforcement Procedures Related to Chapter 6, § 018 of the Nebraska Liquor Control Commission Rules and Regulations and Neb. Rev. Stat. § 53-168

The Nebraska Liquor Control Commission (NLCC) has updated its enforcement procedures for delinquent credit complaints involving retail licensees.

Under Nebraska law and Commission rules, retailers purchasing alcohol on credit must make payment within 30 days of delivery. Once that 30-day period has passed without payment, the account is considered delinquent and a violation exists. Retailers with delinquent accounts may not purchase alcoholic liquor, and wholesalers, Nebraska craft breweries, Nebraska microdistilleries, Nebraska farm wineries, and other licensees participating in self-distribution may not sell to a delinquent retailer.

This updated procedure does not change the legal requirement that payment be made within 30 days. Instead, it updates how the Commission will enforce delinquent credit violations in a more consistent and practical manner, allowing retailers a limited opportunity to resolve delinquent accounts before formal hearing action is initiated.

Licensees Required to Report

All Class X and W licensees, as well as Class L, Y, and Z licensees participating in self-distribution, are required to comply with delinquent credit reporting requirements when a retail licensee becomes delinquent on qualifying alcoholic liquor purchases.

Bud Synhorst
Commissioner

J Michael Coffey
Chairman

Jim Elworth
Commissioner

Delinquent Credit Enforcement Process

Delinquency

A retail licensee becomes delinquent when:

- Payment for wine, spirits, or ready-to-drink cocktails (RTD) has not been completed within 30 days of delivery/receipt, or
- Payment for beer has not been completed according to applicable payment requirements.

Once delinquent, the retailer may not purchase alcoholic liquor from any reporting licensee.

Complaint Submission

When a retailer becomes delinquent, the reporting licensee shall notify the Commission by submitting a delinquent credit complaint through the Commission's enforcement process.

Complaint forms are available on the NLCC website under the Enforcement & Citations section:

<https://lcc.nebraska.gov>

Do Not Buy/Sell List Placement

Upon review and confirmation by Commission staff, the delinquent retailer will be placed on the Commission's **Do Not Buy/Sell List**.

Retailers listed on the Do Not Buy/Sell List may not purchase alcoholic liquor from any wholesaler or licensee participating in self-distribution until the delinquency has been resolved.

The Do Not Buy/Sell List is maintained by the Commission and updated daily (Monday through Friday, excluding State holidays), generally by 10:00 a.m., and as needed.

The official list is available at: <https://lcc.nebraska.gov/enforcement-citations/do-not-buy-sell-list>

Warning Notice / Resolution Period

Under the Commission's updated enforcement policy, delinquent credit matters will not immediately be set for administrative hearing.

Instead, the Commission will allow a 15-day resolution window following delinquency before moving forward with formal hearing action.

During this time:

- Reporting licensees are encouraged to communicate directly with delinquent retailers regarding payment.
- The Commission may assist by issuing warning communications advising the retailer that failure to promptly resolve the delinquency may result in formal enforcement action, including suspension of the retail liquor license.
- Reporting licensees should communicate delinquent account updates and related warning activity through: **lcc.enforcement@nebraska.gov**

Formal Enforcement

If the delinquency remains unresolved after the Commission's 15-day resolution period, the reporting licensee may proceed with requesting formal enforcement action.

At that point, the Commission may issue a citation and set the matter for administrative hearing.

If a hearing is scheduled, the reporting licensee may be required to provide testimony or documentation supporting the delinquent credit complaint.

Commissioners may impose discipline consistent with applicable law and penalty guidelines, including suspension or cancellation of the retail liquor license.

Contesting Delinquent Status

A retail licensee may contest placement on the Do Not Buy/Sell List by providing sufficient documentation showing that the delinquent account has been paid or otherwise resolved.

Once verified, the retailer will be removed from the list.

All documentation, updates, and questions should be directed to:

lcc.enforcement@nebraska.gov

Quick Facts

- The 30-day payment requirement remains unchanged
- A delinquent retailer is still considered in violation once payment exceeds 30 days
- The updated policy changes when formal enforcement action is initiated, not when delinquency occurs
- There is no minimum dollar amount required for reporting delinquent credit
- Retailers on the Do Not Buy/Sell List may not purchase alcoholic liquor from any reporting licensee
- The Commission's Do Not Buy/Sell List is the only recognized official list
- Invoice documentation should include:
 - ✓ Retailer name and address
 - ✓ Product description and sizes
 - ✓ Total gallonage
 - ✓ Final invoice amount
 - ✓ Delivery confirmation/signatures where applicable

Guidance Disclaimer

This guidance document is advisory in nature and reflects the Nebraska Liquor Control Commission's current enforcement procedures. It does not alter applicable statutes, duly adopted regulations, or legal obligations imposed by law.

This guidance may be updated as needed to reflect policy, operational, or legal changes. Users are encouraged to consult the most current version published by the Commission.