

HOUSE BILL NO. 1284

Introduced by

Representatives Mock, Becker, Boschee, Howe, Kasper, Lefor, D. Ruby

Senators Burckhard, Klein, Kreun, Weber

1 A BILL for an Act to amend and reenact section 5-02-01.1 and subsection 5 of section 5-02-06
2 of the North Dakota Century Code, relating to alcohol event permits and prohibitions for
3 individuals under twenty-one years of age; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 5-02-01.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **5-02-01.1. Event permit authorized - Penalty.**

- 8 1. The local governing body may by permit authorize a qualified alcoholic beverage
9 licensee licensed under this chapter to engage in the sale of alcoholic beverages at
10 events designated by the permit. For purposes of this section, "qualified alcoholic
11 beverage licensee" means a licensee in a city that imposed a city lodging and
12 restaurant tax on July 31, 1993, who paid ~~such~~the tax and who continues to pay any
13 such tax imposed by the city or a licensee in a county, a licensee in a city that did not
14 impose a city lodging and restaurant tax on July 31, 1993, or a tribal licensee. A fee for
15 the local permit may be set by ordinance or resolution at not more than twenty-five
16 dollars. The permit may not be valid for a period greater than fourteen days and may
17 include Sundays. The local governing body may establish rules to regulate and restrict
18 the operation of an event permit. Any person ~~who~~that dispenses, sells, or permits the
19 consumption of alcoholic beverages in violation of this section or the conditions of a
20 permit is guilty of a class B misdemeanor.
- 21 2. The local governing body may authorize ~~persons~~an individual under twenty-one years
22 of age to ~~remain in the area of~~attend the event, ~~or a portion thereof, where beer, wine,~~
23 ~~or sparkling wine may be sold pursuant to the permit. However, this authorization must~~
24 ~~be subject to the following minimum conditions:~~

- 1 a. ~~The area where persons under twenty-one years of age may remain must be~~
2 ~~specifically set forth in the permit;~~
- 3 b. ~~Only employees of the qualified alcoholic beverage licensee who are at least~~
4 ~~twenty-one years of age may deliver and sell the beer, wine, or sparkling wine;~~
5 ~~and~~
- 6 e. ~~No person under twenty-one years of age within the area described in the permit~~
7 ~~may consume, possess, or receive alcoholic beverages but may not authorize~~
8 ~~the consumption or possession of an alcoholic beverage by an individual under~~
9 ~~twenty-one years of age. The local governing body may establish rules to~~
10 ~~regulate and restrict the circumstances and requirements under which an~~
11 ~~individual under twenty-one years of age may attend the event.~~

12 **SECTION 2. AMENDMENT.** Subsection 5 of section 5-02-06 of the North Dakota Century
13 Code is amended and reenacted as follows:

- 14 5. ~~An individual under twenty-one years of age may remain in an area of a site where~~
15 ~~beer, wine, or sparkling wine is sold~~attend an event where alcoholic beverages are
16 sold in accordance with the conditions of an event permit issued pursuant to section
17 5-02-01.1.