

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1131

Page 1, line 1, after "to" insert "create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to alcoholic beverage sales; to", replace "subdivision" with "subdivisions", and after "b" insert "and e"

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 5-02 of the North Dakota Century Code is created and enacted as follows:

Prohibition on roving sales. An on-sale licensee shall keep, display, and store containers of distilled spirits in an area from which the public is excluded and, before a request to purchase a particular distilled spirit by a customer, may not move a distilled spirit into an area in which the public is allowed, unless the movement is neither part of nor intended to promote the sale of the distilled spirit."

Page 1, line 5, replace "Subdivision" with "Subdivisions" and after "b" insert "and e"

Page 1, line 6, replace "is" with "are"

Page 1, after line 11, insert:

"e. The execution or imposition of sentence under this section may not be suspended or deferred under subsection 3 or 4 of section 12.1-32-02 ~~except that a fine or a sentence of imprisonment may be suspended in any of the following instances:~~

- ~~(1) Upon conviction of being in actual physical control of a motor vehicle in violation of this section or equivalent ordinance.~~
- ~~(2) If the defendant is under age eighteen when convicted except that if the defendant has, within the preceding five years, previously been convicted of violating section 39-08-01 or equivalent ordinance, the sentence must include at least forty eight consecutive hours imprisonment or in a minimum security facility or at least ten days of community service. The execution of the sentence may not be suspended nor the imposition of sentence deferred under subsection 3 or 4 of section 12.1-32-02."~~

Page 1, line 17, remove "impounded or immobilized for the period of suspension or revocation"

Page 1, line 18, remove "of the offender's driving privilege."

Page 1, line 23, remove "after the conclusion of the"

Page 1, line 24, remove "suspension or revocation"

Page 1, after line 24, insert:

"SECTION 4. EMERGENCY. Section 1 of this Act is declared to be an emergency measure."

Renumber accordingly