

HOUSE BILL NO. 1520

Introduced by

Representatives Wald, Koppelman, S. Meyer, Wrangham

Senators Cook, Dever

1 A BILL for an Act to create and enact a new subsection to section 39-16-03.1 of the North
2 Dakota Century Code, relating to driver record abstract; to amend and reenact section 5-01-08
3 of the North Dakota Century Code, relating to an underage person in a licensed premises with
4 alcoholic beverages; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Section 5-01-08 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **5-01-08. Persons under twenty-one years of age prohibited from manufacturing,**
9 **~~purchasing, consuming, or possessing~~ using alcoholic beverages or entering licensed**
10 **~~premises - Penalty - Exceptions - Referrals to addiction facilities - Jurisdiction.~~**

- 11 1. Except as permitted in this section and section 5-02-06, a person under twenty-one
12 years of age may not manufacture or attempt to manufacture, purchase or attempt
13 to purchase, consume or have recently consumed other than during a religious
14 service, be under the influence of, be in possession of, or furnish money to any
15 person for the purchase of an alcoholic beverage, ~~or.~~
- 16 2. A person under twenty-one years of age may not enter any licensed premises
17 where alcoholic beverages are being sold or displayed, except a:
- 18 a. A restaurant ~~when~~ if accompanied by a parent or legal guardian, ~~or in;~~
19 b. In accordance with section 5-02-06, ~~or if;~~
20 c. If the person is a law enforcement officer or other public official who enters the
21 premises in the performance of official duty; ~~;~~ or if
22 d. If the person enters the premises for training, education, or research purposes
23 under the supervision of a person twenty-one or more years of age with prior
24 notification of the local licensing authority.

1 3. A violation of this section is a class B misdemeanor. Upon conviction for a
2 violation of subsection 2, the defendant shall surrender any license or permit to
3 operate a motor vehicle to the court. The court shall forward the license or permit
4 to the department with notification of the conviction. The department shall suspend
5 the permit or license for fifteen days.

6 4. The court may, under this section, refer the person to an outpatient addiction
7 facility licensed by the state department of human services for evaluation and
8 appropriate counseling or treatment.

9 5. The offense of consumption occurs in the county of consumption or the county
10 where the offender is arrested.

11 **SECTION 2.** A new subsection to section 39-16-03.1 of the North Dakota Century Code
12 is created and enacted as follows:

13 An entry concerning a suspension under section 5-01-08.