

HOUSE BILL NO. 1383

Introduced by

Representatives Berg, Boucher, Iverson

Senators Hacker, Heitkamp, Stenehjem

1 A BILL for an Act to create and enact a new subsection to section 5-01-01 of the North Dakota
2 Century Code, relating to definitions for the purpose of sale and consumption of alcoholic
3 beverages; and to amend and reenact sections 5-02-05 and 5-02-09 of the North Dakota
4 Century Code, relating to the sale and consumption of alcoholic beverages.

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

6 **SECTION 1.** A new subsection to section 5-01-01 of the North Dakota Century Code is
7 created and enacted as follows:

8 "Twenty-one years of age" means it is after three a.m. on the date twenty-one
9 years after a person's date of birth.

10 **SECTION 2. AMENDMENT.** Section 5-02-05 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **5-02-05. Dispensing prohibited on certain days - Penalty.** Any person who
13 dispenses or permits the consumption of alcoholic beverages on licensed premises ~~after one~~
14 ~~between two~~ a.m. ~~on Sundays, before and~~ between two a.m. ~~or~~ and twelve noon on Sundays, ~~or~~ or between the hours of
15 ~~one two~~ a.m. and eight a.m. on all other days of the week, or ~~who dispenses alcoholic~~
16 ~~beverages or permits consumption of alcoholic beverages on licensed premises~~ on Christmas
17 Day, after ~~one~~ two a.m. on Thanksgiving Day, or after six p.m. on Christmas Eve is guilty of a
18 class A misdemeanor.

19 **SECTION 3. AMENDMENT.** Section 5-02-09 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **5-02-09. Local regulations.** The local governing body by ordinance or resolution may
22 regulate or restrict the operation of licensees including among other things determining the
23 number of licenses to be granted, establishing health and safety standards for licensed
24 premises, setting of hours and regulation of open door policies by fraternal organizations or

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- 1 private clubs, determining whether licensees may dispense or permit the consumption of
- 2 alcoholic beverages after one a.m. and until two a.m. subject to section 5-02-05, and regulation
- 3 of dancing or various forms of entertainment on the premises.