Sixty-third Legislative Assembly of North Dakota

HOUSE BILL NO. 1437

Introduced by

Representatives Becker, Beadle, Boehning, N. Johnson, J. Nelson, Streyle

- 1 A BILL for an Act to amend and reenact section 12.1-30-02 of the North Dakota Century Code,
- 2 relating to Sunday closing.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1. AMENDMENT.** Section 12.1-30-02 of the North Dakota Century Code is
- 5 amended and reenacted as follows:
- 6 12.1-30-02. Items prohibited from sale or rental on Sunday <u>- Exemptions</u>.
- 7 Except for items sold at hobby shows, craft shows, fairs, exhibits, occasional rummage
- 8 sales including garage sales or other sales for which a sales tax permit is not required, and
- 9 tourist attractions that derive at least fifty percent of their annual gross sales from seasonal or
- 10 tourist customers
- 11 <u>1.</u> Except as otherwise provided under this section, the sale or rental of any of the
- following items between the hours of twelve midnight and twelve noon on Sunday is
- 13 prohibited:
- 14 1.a. Clothing other than work gloves and infant supplies.
- 15 <u>2.b.</u> Clothing accessories.
- 16 3.c. Wearing apparel other than that sold to a transient traveler under emergency
- 17 conditions.
- 18 4.d. Footwear.
- 19 <u>5.e.</u> Headwear.
- 20 6.f. Home, business, office, or outdoor furniture.
- 21 7.g. Kitchenware.
- 22 8.h. Kitchen utensils.
- 23 9.i. China.
- 24 <u>10.j.</u> Home appliances.

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| 1 | 11.<u>k.</u> | Stoves. |
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| 2 | 12. <u>l.</u> | Refrigerators. |
| 3 | 13. <u>m.</u> | Air-conditioners. |
| 4 | 14. n. | Electric fans. |
| 5 | 15. 0. | Radios. |
| 6 | 16. p. | Television sets. |
| 7 | 17. q. | Washing machines. |
| 8 | 18. r. | Dryers. |
| 9 | 19. s. | Cameras. |
| 10 | 20. t. | Hardware other than emergency plumbing, heating, cooling, or electrical repair or |
| 11 | | replacement parts and equipment. |
| 12 | 21. u. | Tools other than manually driven hand tools. |
| 13 | 22. <u>v.</u> | Jewelry. |
| 14 | 23. <u>w.</u> | Precious or semiprecious stones. |
| 15 | 24. <u>x.</u> | Silverware. |
| 16 | 25. <u>y.</u> | Watches. |
| 17 | 26. <u>z.</u> | Clocks. |
| 18 | 27. aa. | Luggage. |
| 19 | 28. bb. | Motor vehicles other than the daily rental of vehicles by businesses whose sole |
| 20 | | activity is automobile rental. |
| 21 | 29. cc. | Musical instruments. |
| 22 | 30. <u>dd.</u> | The sale of aural or video recordings, records, or tapes. Rental of these items is |
| 23 | | permitted. |
| 24 | 31. <u>ee.</u> | Toys other than those customarily sold as novelties or souvenirs. |
| 25 | 32. ff. | Mattresses. |
| 26 | 33. gg. | Bed coverings. |
| 27 | 34. <u>hh.</u> | Household linens. |
| 28 | 35. ii. | Floor coverings. |
| 29 | 36. jj. | Lamps. |
| 30 | 37. kk. | Draperies. |
| 31 | 38. II. | Blinds. |
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| 1 | 39. mm. | <u>.</u> Curtains. |
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| 2 | 40. nn. | Mirrors. |
| 3 | 41. 00. | Cloth piece goods. |
| 4 | 42. рр. | Lawnmowers. |
| 5 | <u>43.qq.</u> | Sporting or recreational goods other than those sold or rented on the premises |
| 6 | | where sports or recreational activities are conducted. |
| 7 | 44. <u>rr.</u> | Paint and building and lumber supplies. |
| 8 | 2. <u>Sub</u> | section 1 and subsection 1 of section 12.1-30-01 do not apply to: |
| 9 | <u>a.</u> | The items sold at hobby shows, craft shows, fairs, exhibits, occasional rummage |
| 10 | | sales including garage sales or other sales for which a sales tax permit is not |
| 11 | | required, and tourist attractions that derive at least fifty percent of their annual |
| 12 | | gross sales from seasonal or tourist customers. |
| 13 | <u>b.</u> | The sale or rental of items for which the the governing body of a city or county, by |
| 14 | | ordinance or other special authorization, has specifically authorized the sale or |
| 15 | | rental to take place before twelve noon on Sunday. |
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