

1.1 A bill for an act

1.2 relating to alcohol; clarifying that public facilities may allow noncommercial  
1.3 alcohol use without licenses; amending Minnesota Statutes 2008, sections  
1.4 340A.101, by adding a subdivision; 340A.401; 340A.414, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 340A.101, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 31. **Public facility.** "Public facility" is a park, community center, or other  
1.9 accommodation or facility owned or managed by or on behalf of a subdivision of the state,  
1.10 including any county, city, town, township, or independent district of the state.

1.11 Sec. 2. Minnesota Statutes 2008, section 340A.401, is amended to read:

1.12 **340A.401 LICENSE REQUIRED.**

1.13 Except as provided in this chapter, no person may directly or indirectly, on any  
1.14 pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise  
1.15 dispose of alcoholic beverages as part of a commercial transaction without having  
1.16 obtained the required license or permit. Rental of or permission to use a public facility is  
1.17 not a commercial transaction for the purposes of this chapter.

1.18 Sec. 3. Minnesota Statutes 2008, section 340A.414, subdivision 1, is amended to read:

1.19 Subdivision 1. **Permit required.** No business establishment or club which does  
1.20 not hold an on-sale intoxicating liquor license may directly or indirectly allow the  
1.21 consumption and display of alcoholic beverages or knowingly serve any liquid for the  
1.22 purpose of mixing with intoxicating liquor without first having obtained a permit from the

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- 2.1 commissioner. Rental of a public facility does not make a subdivision nor the facility a  
2.2 "business establishment" for the purposes of this chapter.