

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1284
(Representatives Mock, Becker, Boschee, Howe, Kasper, Lefor, D. Ruby)
(Senators Burckhard, Klein, Kreun, Weber)

AN ACT to amend and reenact section 5-02-01.1 and subsection 5 of section 5-02-06 of the North Dakota Century Code, relating to alcohol event permits and prohibitions for individuals under twenty-one years of age; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 5-02-01.1 of the North Dakota Century Code is amended and reenacted as follows:

5-02-01.1. Event permit authorized - Penalty.

1. The local governing body may by permit authorize a qualified alcoholic beverage licensee licensed under this chapter to engage in the sale of alcoholic beverages at events designated by the permit. For purposes of this section, "qualified alcoholic beverage licensee" means a licensee in a city that imposed a city lodging and restaurant tax on July 31, 1993, who paid ~~such~~the tax and who continues to pay any such tax imposed by the city or a licensee in a county, a licensee in a city that did not impose a city lodging and restaurant tax on July 31, 1993, or a tribal licensee. A fee for the local permit may be set by ordinance or resolution at not more than twenty-five dollars. The permit may not be valid for a period greater than fourteen days and may include Sundays. The local governing body may establish rules to regulate and restrict the operation of an event permit. Any person ~~who~~that dispenses, sells, or permits the consumption of alcoholic beverages in violation of this section or the conditions of a permit is guilty of a class B misdemeanor.
2. The local governing body may authorize ~~persons~~an individual under twenty-one years of age to remain in the area ~~of~~attend the event, ~~or a portion thereof, where beer, wine, or sparkling wine may be sold pursuant to the permit. However, this authorization must be subject to the following minimum conditions:~~
 - a. ~~The area where persons under twenty-one years of age may remain must be specifically set forth in the permit;~~
 - b. ~~Only employees of the qualified alcoholic beverage licensee who are at least twenty-one years of age may deliver and sell the beer, wine, or sparkling wine; and~~
 - c. ~~No person under twenty-one years of age within the area described in the permit may consume, possess, or receive alcoholic beverages but may not authorize the consumption or possession of an alcoholic beverage by an individual under twenty-one years of age.~~

SECTION 2. AMENDMENT. Subsection 5 of section 5-02-06 of the North Dakota Century Code is amended and reenacted as follows:

5. An individual under twenty-one years of age may remain in an area of a site ~~where beer, wine, or sparkling wine is sold~~attend an event where alcoholic beverages are sold in accordance with the conditions of an event permit issued pursuant to section 5-02-01.1.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1284.

House Vote: Yeas 83 Nays 11 Absent 0

Senate Vote: Yeas 42 Nays 4 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State