

# ALCOHOLIC BEVERAGES

## CHAPTER 100

H. B. No. 661  
(Levin and Peterson of Dickey)

### DISPOSITION OF WHOLESALE LIQUOR TAX

#### AN ACT

To amend and reenact section 5-0311 of the North Dakota Revised Code of 1943, relating to the disposition of the tax on sales by licensed wholesale liquor dealers provided for in subsections 1 and 2 of section 5-0310 of the North Dakota Revised Code of 1943; providing that fifty-five percent of the revenue from such tax shall be placed in the charitable institutions revolving fund.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.) Section 5-0311 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

5-0311. DISPOSITION OF TAX.) Fifty-five percent of the revenue from the tax provided for under subsections 1 and 2 of section 5-0310 shall be placed in the charitable institutions revolving fund. The remainder of all funds collected by and paid to the state treasurer under the provisions of section 5-0310 shall be credited promptly to the general fund of the state.

Approved March 1, 1951.

## CHAPTER 101

S. B. No. 247  
(Day, Knudson and Duffy)

## ALCOHOLIC BEVERAGE LICENSE; FEE

## AN ACT

To amend and reenact sections 5-0501 and 5-0502 of the 1949 Supplement to the North Dakota Revised Code of 1943, relating to license of alcoholic beverages required from attorney general.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1 AMENDMENT.) Section 5-0501 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

5-0501. LICENSE REQUIRED FROM ATTORNEY GENERAL.) From and after the passage, approval and effective date of this Act, it shall be unlawful for any person, partnership, association of individuals or corporation to engage in the sale of alcohol or alcoholic beverages at retail unless there shall have been first procured from the attorney general of the state of North Dakota a license so to do. Such license herein provided for shall be in addition to any license required by any municipality or political subdivision. Where an applicant desires to engage in both the sale of beer under the initiated measure adopted at a special election held on September 22, 1933, (chapter 5-002) as amended, and of alcohol or alcoholic beverages under the provisions of the liquor control act (chapter 5-03), he shall obtain a license for the sale of each and pay the fee provided for each such license. Any person, partnership, association of individuals, corporation or municipal corporation engaged in the sale of alcohol or alcoholic beverages shall have 60 days after the effective date of this Act within which to procure such license. A license issued under the provisions of this section shall be continued in full force and effect, unless revoked, provided that the licensee annually pays the prescribed license fee and complies with the qualifications set out in section 5-0503 of the 1949 Supplement.

§ 2. AMENDMENT.) Section 5-0502 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

5-0502. LICENSE FEE.) License fees shall be charged on a calendar year basis. Licenses issued after March 1 in any year shall be prorated from the first of the month in which such licenses are issued. License fees shall be as follows:

Each place licensed for the exclusive off sale of alcohol and alcoholic beverages; or in rural districts, or in villages or cities of less than 500 population, Fifty Dollars (\$50); Each place licensed for the on and off sale of alcohol and alcoholic beverages; or in villages or cities having more than 500 population, One Hundred Dollars (\$100).  
Approved March 9, 1951.

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## CHAPTER 102

H. B. No. 599  
(Judiciary Committee)

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### COURT REVIEW OF REVOKED OR SUSPENDED ALCOHOLIC BEVERAGE LICENSES

#### AN ACT

To amend and reenact section 5-0515 of the 1949 Supplement to the North Dakota Revised Code of 1943, relating to review by the court of revoked or suspended license for alcoholic beverages.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.) Section 5-0515 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

5-0515. REVIEW BY COURT.) The action of the attorney general in revoking or suspending a license may be appealed to the district court of the county and district in which the premises described in the license are located by procedure applicable to appeals taken in the manner provided in chapter 28-32 of the title Judicial Procedure, Civil, as now or hereafter amended, except that the attorney general's order revoking or suspending the license may be stayed by the court appealed to upon filing with the clerk of said court a bond approved by and in the amount set by the judge of said district court for the faithful observance of the laws of the state relative to the operation of the business licensed during the pendency of the appeal.

The revocation or suspension of a licensee's municipal or county license shall automatically revoke or suspend such licensee's state license.

Approved March 7, 1951.