

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED 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; to amend and reenact sections 5-02-05 and 5-02-09 of the North Dakota Century
4 Code, relating to the sale and consumption of alcoholic beverages; and to declare an
5 emergency.

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

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

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

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

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

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

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

- 1 premises, setting of hours ~~and~~, regulation of open door policies by fraternal organizations or
- 2 private clubs, and regulation of dancing or various forms of entertainment on the premises.

3 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.