

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2177**

Introduced by

Senators Lindaas, Andrist, Kilzer

Representatives N. Johnson, Koppelman, Potter

1 A BILL for an Act to amend and reenact section 5-01-09 of the North Dakota Century Code,  
2 relating to the penalty for unlawful delivery of alcohol to certain persons.

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

4 **SECTION 1. AMENDMENT.** Section 5-01-09 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **5-01-09. Delivery to certain persons unlawful - Mandatory sentences.** Any person  
7 knowingly delivering alcoholic beverages to a person under twenty-one years of age, except as  
8 allowed under section 5-02-06, or to a habitual drunkard, an incompetent, or an obviously  
9 intoxicated person is guilty of a class A misdemeanor, subject to sections 5-01-08, 5-01-08.1,  
10 and 5-01-08.2. For a first violation of this section, the sentence must include a fine of at least  
11 two hundred fifty dollars and at least forty-eight consecutive hours' imprisonment or placement  
12 in a minimum security facility. For a second or subsequent violation of this section, the  
13 sentence must include a fine of at least five hundred dollars and at least ten days' imprisonment  
14 or placement in a minimum security facility, of which forty-eight hours must be served  
15 consecutively.