

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2133

Introduced by

Senators Flakoll, Olafson, Schneider

Representatives Beadle, Maragos, Thoreson

1 A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century
2 Code, relating to using false identification to obtain alcoholic beverages.

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

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

6 **Proof of age - Seizure of false identification.**

7 1. A licensed retailer of alcoholic beverages or an employee of a licensed retailer may
8 determine proof of age for purchasing or consuming an alcoholic beverage solely by
9 inspection of one of the following:

10 a. A valid driver's license or identification card issued by this state, another state, or
11 a province of Canada which includes the photograph and date of birth of the
12 licensed individual;

13 b. A valid military identification card issued by the United States department of
14 defense; or

15 c. A valid passport issued or recognized by the United States.

16 2. A licensed retailer or an employee of a licensed retailer may seize a form of
17 identification displayed as proof of age if the licensed retailer or an employee of a
18 licensed retailer has a reasonable belief that the form of identification has been
19 altered, falsified, or is being used to unlawfully obtain alcoholic beverages.

20 3. Within twenty-four hours of seizing a form of identification as allowed under this
21 section, a licensed retailer or an employee of a licensed retailer shall notify a law
22 enforcement agency of the seizure and the law enforcement agency shall take
23 possession of the identification within twenty-four hours after receipt of the notice.