

February 10, 1999

PROPOSED AMENDMENTS TO SENATE BILL NO. 2405

Page 1, line 1, replace "section" with "sections 5-02-01.1 and"

Page 1, line 2, after "beverages" insert "; and to declare an emergency"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 5-02-01.1 of the 1997 Supplement to 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 tax and who continues to pay any such tax imposed by the city or a licensee in a county or a licensee in a city that did not impose a city lodging and restaurant tax on July 31, 1993. 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 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 under twenty-one years of age to remain in the area of 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;
  - c. Subject to section 5-02-06, the area where persons under twenty-one years of age may remain may not be the qualified alcoholic beverage licensee's fixed or permanent licensed premises as shown on the state and local governing body's alcoholic beverage license issued pursuant to section 5-02-01; and
  - d. No person under twenty-one years of age within the area described in the permit may consume, possess, or receive alcoholic beverages."

Page 1, line 19, replace "if in that area beer, wine, or sparkling wine" with "in accordance with the conditions of an event permit issued pursuant to section 5-02-01.1"

Page 1, remove line 20

Page 1, line 21, remove "container containing twenty-four fluid ounces [.71 liters] or less"

Page 2, after line 3, insert:

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

Renumber accordingly