

HOUSE BILL NO. 1381

Introduced by

Representative Kasper

1 A BILL for an Act to amend and reenact section 5-01-04 of the North Dakota Century Code,
2 relating to the manufacture of alcoholic beverages.

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

4 **SECTION 1. AMENDMENT.** Section 5-01-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **5-01-04. Manufacture of alcoholic beverages prohibited - Exceptions.** A person
7 may manufacture alcoholic beverages for personal or family use, and not for sale, without
8 securing a license if the amount manufactured is within quantities allowed by the bureau of
9 alcohol, tobacco, firearms and explosives of the United States treasury department. Any
10 person manufacturing alcoholic beverages within this state in quantities greater than those
11 permitted by the United States treasury department is guilty of a class A misdemeanor and
12 property used for same is subject to disposition by the court except any person may establish a
13 brewery for the manufacture of malt beverages, a winery, or a distillery or other plant for the
14 distilling, manufacturing, or processing of alcohol within this state if the person has secured a
15 license from the state tax commissioner. This license must be issued on a calendar-year basis
16 with a fee of five hundred dollars. A first-time license fee may be reduced twenty-five percent
17 for each full quarter of a year elapsed between the first day of the year for which the license is
18 issued and the date on which the application for the license is filed with the state tax
19 commissioner. A license may not be issued for any period for a fee less than one-half of the
20 annual license fee. This license shall allow sale to only licensed wholesalers unless the license
21 is for the manufacture of wine, then retail sales of that manufactured wine may be made on the
22 premises.