Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2145

Introduced by

Senators J. Lee, Laffen, Uglem

Representatives Delmore, Devlin, Kreidt

A BILL for an Act to amend and reenact section 5-02-01 of the North Dakota Century Code, relating to alcoholic beverage license exception for nonprofit organizations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 5-02-01 of the North Dakota Century Code is amended and reenacted as follows:

5-02-01. State and local retail license required - Exception.

1. Except as otherwise provided in section 5-02-01.1, any person engaging in the sale of alcoholic beverages at retail without first securing an appropriate license from the attorney general and a local license from the governing body of any city, or if ~~said~~the business is located outside the corporate limits of a city, the board of county commissioners or the governing body of an Indian tribe, as the location requires, is guilty of a class A misdemeanor.
2. This section does not apply to public carriers engaged in interstate commerce.
3. This section does not apply to a nonprofit organization that sells an alcoholic beverage as part of a fundraising activity. If the alcoholic beverage is sold as part of an event, the sale may not be for consumption at that event. As used in this subsection, fundraising activity includes an auction, raffle, or other prize contest for which consideration is given.