

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2145

Introduced by

Senators J. Lee, Laffen, Uglen

Representatives Delmore, Devlin, Kreidt

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

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

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

6 **5-02-01. State and local retail license required - Exception.**

7 1. Except as otherwise provided in section 5-02-01.1, any person engaging in the sale of
8 alcoholic beverages at retail without first securing an appropriate license from the
9 attorney general and a local license from the governing body of any city, or if ~~said~~the
10 business is located outside the corporate limits of a city, the board of county
11 commissioners or the governing body of an Indian tribe, as the location requires, is
12 guilty of a class A misdemeanor.

13 2. This section does not apply to public carriers engaged in interstate commerce.

14 3. This section does not apply to a nonprofit organization that sells an alcoholic beverage
15 as part of a fundraising activity. ~~If the alcoholic beverage is sold as part of an event,~~
16 ~~the sale may not be for consumption at that event.~~ As used in this subsection,
17 fundraising activity includes an auction, raffle, or other prize contest for which
18 consideration is given. ~~If the alcoholic beverage is sold as part of a fundraising event,~~
19 the sale may not be for consumption at that event.