Prepared by the Legislative Council staff for Senator Paulson
February 5, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2373

Introduced by

Senators Klein, Luick, Myrdal, Paulson

A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-01 and subsection 3 of section 53-06.1-03 of the North Dakota Century Code, relating to the definition of an alcoholic beverage establishment and the permissible locations for gaming.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 53-06.1-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Alcoholic beverage establishment" means an establishment licensed under chapter 5-02 where alcoholic beverages are sold~~,~~ and dispensed~~,~~ by employees of the establishment and consumed by guests on the premises. The term does not include a liquor store, gas station, grocery store, or convenience store.

SECTION 2. AMENDMENT. Subsection 3 of section 53-06.1-03 of the North Dakota Century Code is amended and reenacted as follows:

3. A licensed organization or organization that has a permit shall conduct games as follows:
   a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except a raffle or a sports pool conducted under a local permit may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle or a sports pool is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the attorney general.

b. Except for a temporary site authorized for fourteen or fewer consecutive days for not more than two events per quarter or a licensed organization authorized on or before January 1, 2023, to conduct gaming at more than fifteen sites, a licensed organization, including a closely related organization, may not have more than fifteen sites.

c. Games of electronic quick shot bingo, electronic pull tabs, pull tabs, punchboards, twenty-one, paddlewheels, poker, and sports pools may be conducted only during the hours when alcoholic beverages may be dispensed according to applicable regulations of the state, county, or city.

d. Electronic pull tabs ~~must~~, pull tabs, punchboards, twenty-one, paddlewheels, poker, and sports pools may be conducted only within a designated area where patrons must be twenty-one years of age or older to enter, which is located in an alcoholic beverage establishment ~~and only within a designated area where patrons must be twenty-one years of age or older to enter~~or in a bingo hall that is an authorized site on January 1, 2025, and is owned by a licensed organization.

~~d.~~e. An organization may not permit a person under twenty-one years of age to directly or indirectly play electronic pull tabs, pull tabs, punchboards, twenty-one, calcuttas, sports pools, paddlewheels, or poker. An organization may not permit an individual under eighteen years of age to directly or indirectly play electronic quick shot bingo. An organization may not permit an individual under eighteen years of age to directly or indirectly play bingo unless the individual is accompanied by an adult, bingo is conducted by an organization that has a permit, or the game's prize structure does not exceed that allowed for a permit.

~~e.~~f. An organization may not install more than ten electronic pull tab devices at a site.

~~f.~~g. An organization with more than fifteen licensed sites under subdivision b may not increase its number of sites beyond the number of sites licensed as of January 1, 2023.

~~g.~~h. An organization conducting gaming at an authorized site on January 1, 2023, may continue to operate gaming, including as provided under subsection 1 of section 53-06.1-06, at the authorized site regardless of whether the authorized site is an alcoholic beverage establishment as defined under section 53-06.1-01.

~~h.~~i. For a raffle board, an organization permitted to conduct raffles shall sell the numbered squares on the board for the same price and may sell squares at a site thirty days before the drawing.