

SENATE BILL NO. 2372

Introduced by

Senators Lindaas, Andrist

Representatives Aarsvold, Price

1 A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota
2 Century Code, relating to establishment of a responsible choice commission and a
3 comprehensive program to address impaired driving, alcohol and drug abuse, and other
4 destructive behavior; to amend and reenact sections 5-03-07 and 5-03-08 of the North Dakota
5 Century Code, relating to the tax on beer at wholesale and allocation of tax revenues; to
6 provide a continuing appropriation; and to provide an effective date.

7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Section 5-03-07 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **5-03-07. Imposition of tax - Rate.** A tax is hereby imposed upon all alcoholic
11 beverage wholesalers for the privilege of doing business in this state. The amount of such tax
12 shall be determined by the gallonage sold by wholesalers according to the following schedule:

| | | |
|----|--|---|
| 13 | Beer in bulk containers - per wine gallon | \$.08 <u>.25</u> (.024 <u>.066</u> per liter) |
| 14 | Beer in bottles and cans - per wine gallon | .16 <u>.25</u> (.042 <u>.066</u> per liter) |
| 15 | Wine containing less than 17% alcohol by | |
| 16 | volume - per wine gallon | .50 (.132 per liter) |
| 17 | Wine containing 17%-24% alcohol by volume | |
| 18 | - per wine gallon | .60 (.159 per liter) |
| 19 | Sparkling wine - per wine gallon | 1.00 (.264 per liter) |
| 20 | Distilled spirits - per wine gallon | 2.50 (.66 per liter) |
| 21 | Alcohol - per wine gallon | 4.05 (1.07 per liter) |

22 **SECTION 2. AMENDMENT.** Section 5-03-08 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **5-03-08. Taxes and fees deposited in the general fund - Responsible choices**
2 **fund.** All moneys collected by the tax commissioner under this chapter must be transferred to
3 the state treasurer, within ten days after the end of the month in which they were collected, and
4 deposited in the state general fund, except for the revenue from seventeen cents per gallon for
5 beer in bulk containers and from nine cents per gallon for beer in bottles and cans of the tax
6 imposed by section 5-03-07, which must be deposited in the responsible choices fund.

7 **SECTION 3.** A new section to chapter 50-06 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Responsible choices commission - Objectives - Continuing appropriation.**

- 10 1. The governor shall appoint five members to the responsible choices commission.
11 Commission members shall serve a term of two years or until a successor is
12 appointed and qualified. Of the initial members appointed, the governor shall
13 appoint three members to a term of three years. The department of human
14 services shall provide staff services to the commission.
- 15 2. The responsible choices commission shall contract with, or grant funds to, entities
16 within this state to discourage impaired driving, alcohol and drug abuse, tobacco
17 use, and other destructive behavior. The commission shall work with state
18 agencies, political subdivisions, and higher education institutions to provide a
19 network for dissemination of information and materials to further its mission. The
20 commission may provide funding for media campaigns; programs at college
21 campuses to promote no-use policy for students under age twenty-one, including
22 money for alcohol-free social events; financial assistance for community programs
23 and speakers to address avoidance of destructive behavior; and research to be
24 conducted by North Dakota institutions of higher education to identify effective
25 strategies to discourage destructive behavior.
- 26 3. Money in the responsible choice fund is appropriated to the responsible choice
27 commission on a standing and continuing basis.

28 **SECTION 4. EFFECTIVE DATE.** Sections 1 and 2 of this Act are effective for taxable
29 events occurring after June 30, 2005.