

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2439

Introduced by

Senators Lindaas, Andrist, Bakke

Representative Koppelman

- 1 A BILL for an Act to amend and reenact subsection 1 of section 5-01-09 of the North Dakota
2 Century Code, relating to the penalty for unlawful delivery of alcohol to certain persons.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 5-01-09 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 1. Any individual knowingly delivering alcoholic beverages to an individual under
7 twenty-one years of age, except as allowed under section 5-02-06, or to a habitual
8 drunkard, an incompetent, or an obviously intoxicated individual is guilty of a
9 class A misdemeanor, subject to sections 5-01-08, 5-01-08.1, and 5-01-08.2. For
10 a second violation of this section, the sentence must include a fine of at least two
11 hundred fifty dollars and at least forty-eight consecutive hours' imprisonment or
12 placement in a minimum security facility. For a third or subsequent violation of this
13 section, the sentence must include a fine of at least five hundred dollars and at
14 least ten days' imprisonment or placement in a minimum security facility, of which
15 forty-eight hours must be served consecutively.