

HOUSE BILL NO. 1344

Introduced by

Representatives Kasper, Becker, Heinert, Johnston, Lefor, Louser, D. Ruby, Steiner

Senators Bekkedahl, Hogue, Klein, J. Roers

1 A BILL for an Act to amend and reenact section 5-02-13 of the North Dakota Century Code,
2 relating to the removal of an unfinished bottle of wine from a restaurant.

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

4 **SECTION 1. AMENDMENT.** Section 5-02-13 of the North Dakota Century Code is amended
5 and reenacted as follows:

6 **5-02-13. Removal of wine from restaurant.**

7 If a full bottle of wine has been opened and the contents partially consumed, a retail
8 alcoholic beverage licensee whose gross sales of food are at least thirty percent of the gross
9 sales of alcoholic beverages ~~that are~~ consumed on the premises may permit an individual
10 purchasing the bottle ~~in conjunction with the purchase of a meal~~ to remove the bottle ~~or~~when
11 leaving the licensed premises if the licensee ~~recorks~~reseals the bottle, ~~seals the bottle~~ with a
12 seal that must be made conspicuously inoperative to reopen the bottle, and places a receipt of
13 sale with the bottle. The removal of the bottle under these conditions is not an off sale of wine
14 and is permitted without an additional license.