



**Promoting and Protecting the Interests of the North
Dakota Craft Brewing Community since 2013**

February 6, 2023

Testimony in SUPPORT of Senate Bill 2363

Chairman Larsen and Members of the Committee:

I'm Scott Meske, representing the North Dakota Brewers Guild and on behalf of the membership we respectfully ask for your support for Senate Bill 2363. The bill before you fixes an oversight from the 2021 Session HB 1184, which revised Century Code to allow minors into alcohol beverage establishments.

Minors are now allowed into alcohol beverage establishments that have a kitchen or restaurant component with three conditions, and at the owner's discretion:

- They are not allowed within three feet of the bar itself where alcohol is served
- They must be with their parents or legal guardian
- They are not permitted after 10 pm.

Taprooms, by definition, do NOT have a restaurant or kitchen component to their business. They are allowed to only serve alcohol that is produced on site. We have ten taprooms licensed in North Dakota. Some of them are physically attached to a food establishment, however are legally separated by license or ownership.

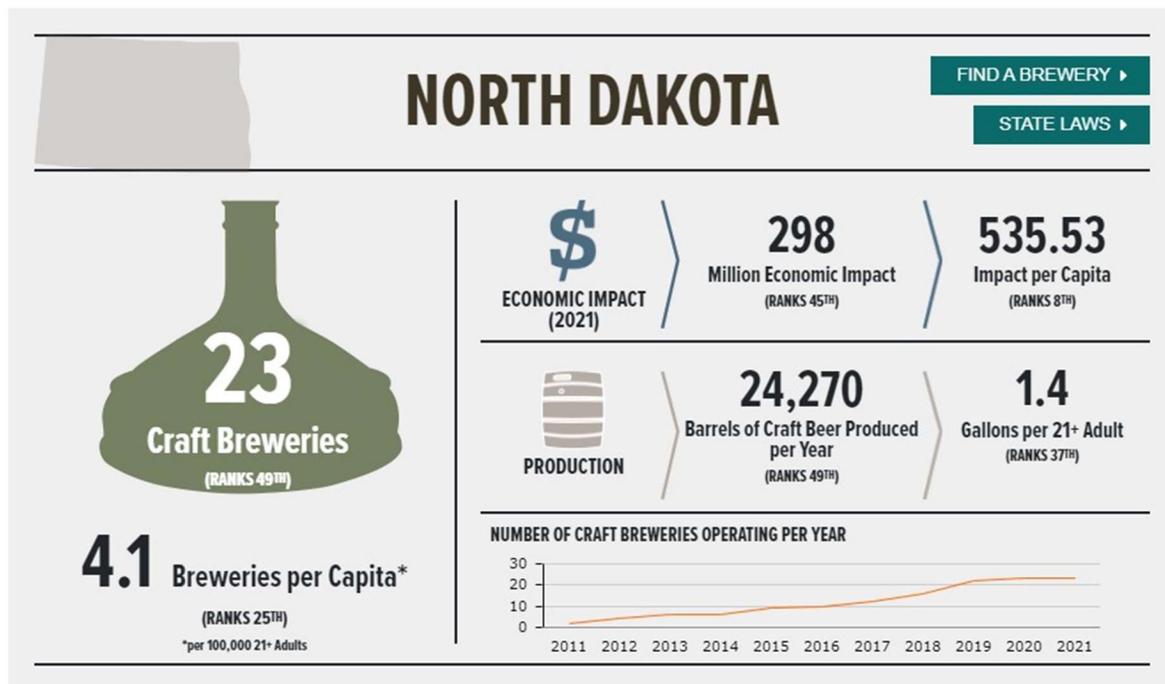
We are asking that taprooms be included in the Century Code to allow minors, under the same requirements as other alcohol beverage establishments.



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I have attached HB 1184 from the 2021 Legislative Session in my uploaded testimony for your reference.

The North Dakota Brewers Guild requests a DO PASS on SB 2363.



**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1184
(Representatives Louser, Becker, Lefor, Richter, Schatz)
(Senators Meyer, Vedaa)

AN ACT to amend and reenact subsection 3 of section 5-02-06 of the North Dakota Century Code, relating to prohibitions for an individual under twenty-one years of age; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 3 of section 5-02-06 of the North Dakota Century Code is amended and reenacted as follows:

3. a. At the discretion of the owner of the licensed premises, an individual under twenty-one years of age may be permitted to enter and remain in a restaurant where alcoholic beverages are being sold and in the area of the restaurant designated for the opening or mixing of alcoholic beverages if the individual:
 - (1) Is accompanied by a parent or guardian;
 - (2) Is not seated at or within three feet [0.91 meters] of the bar counter; and
 - (3) Does not enter or remain in the designated area after ten p.m.
- b. An individual under twenty-one years of age may ~~not~~be permitted to remain in a restaurant where alcoholic beverages are being sold ~~except~~ if the restaurant is separated from the ~~room~~designated area in which alcoholic beverages are opened or mixed and gross sales of food are at least equal to gross sales of alcoholic beverages which are consumed in the dining area, or if the individual is employed by the restaurant as a food waiter, food waitress, busboy, or busgirl under the direct supervision of an individual twenty-one ~~or more~~ years of age or older and is not engaged in the sale, dispensing, delivery, or consumption of alcoholic beverages.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1184.

House Vote: Yeas 90 Nays 2 Absent 2

Senate Vote: Yeas 31 Nays 15 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State