Sixty-eighth Legislative Assembly of North Dakota

## **SENATE BILL NO. 2363**

Introduced by

Senators Barta, Kessel, Meyer

Representatives Cory, Louser, Richter

- 1 A BILL for an Act to amend and reenact subsection 3 of section 5-02-06 of the North Dakota
- 2 Century Code, relating to prohibitions on access to a brewer taproom for an individual under
- 3 twenty-one years of age; and to provide a penalty.

(1)

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA: 4

5 SECTION 1. AMENDMENT. Subsection 3 of section 5-02-06 of the North Dakota 6 Century Code is amended and reenacted as follows: 7 3. At the discretion of the owner of the licensed premises, an individual under 8 twenty-one years of age may be permitted to enter and remain in a restaurant 9 where alcoholic beverages are being sold and in the area of the restaurant 10 designated for the opening or mixing of alcoholic beverages if the individual: 11 Is accompanied by a parent or guardian; (1)12 (2)Is not seated at or within three feet [0.91 meters] of the bar counter; and 13 Does not enter or remain in the designated area after ten p.m. 14 At the discretion of the owner of a brewer taproom licensed under section b. 15 5-01-21, an individual under twenty-one years of age may be permitted to enter 16 and remain in the brewer taproom if the: 17 The brewer taproom is connected to an establishment at which food is 18 prepared and intended for consumption on or off the premises, which is 19 connected to the brewer taproom and able to be accessed from inside the 20 brewer taproom, and which receives the majority of its gross sales from the 21 sale of food; and 22 (2)The individual: 23 (a) Is accompanied by a parent or quardian;

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1 Is not seated at or within three feet [0.91 meters] of the bar counter; (2) (b) 2 and 3 (3) (c) Does not enter or remain in the brewer taproom after ten p.m. 4 An individual under twenty-one years of age may be permitted to remain in a 5 restaurant where alcoholic beverages are being sold if the restaurant is 6 separated from the designated area in which alcoholic beverages are opened or 7 mixed and gross sales of food are at least equal to gross sales of alcoholic 8 beverages which are consumed in the dining area, or if the individual is employed 9 by the restaurant as a food waiter, food waitress, busboy, or busgirl under the 10 direct supervision of an individual twenty-one years of age or older and is not 11 engaged in the sale, dispensing, delivery, or consumption of alcoholic beverages.