

**Testimony in Opposition - HB 1375**  
**House Political Subdivisions Committee**  
**February 6, 2025**

**In Opposition to HB 1375**

Chairman Longmuir, members of the committee, my name is Terry Effertz, and I am here today on behalf of the City of Fargo to oppose HB 1375. This legislation presents serious public safety risks, undermines local control over alcohol regulation, and imposes unnecessary restrictions on law enforcement's ability to ensure compliance with state and local liquor laws.

**Public Safety Concerns**

HB 1375 places an arbitrary limit of two compliance checks per month per licensed establishment and prohibits law enforcement from conducting additional investigations unless specific evidence of a violation is provided by an identified source. This restriction severely hampers the ability of local officials to monitor and enforce compliance with liquor laws effectively. Preventing proactive policing measures creates an environment in which underage drinking and other violations can persist with minimal oversight.

The Fargo Police Department has emphasized that unrestricted compliance checks are an essential tool in deterring illegal alcohol sales and maintaining safe environments for residents and visitors. By restricting these efforts, HB 1375 sends the wrong message—that oversight and enforcement should be weakened rather than strengthened.

**Erosion of Local Control**

This bill also nullifies any local ordinance that conflicts with its provisions, including those enacted under a home rule charter. Fargo, like many municipalities, has carefully crafted its ordinances to reflect the needs of the community and to balance business interests with public safety. Stripping cities of their ability to enforce their own liquor laws is a direct affront to local governance and unnecessarily centralizes control at the state level.

For example, Fargo's existing ordinances allow for law enforcement officers and health inspectors to enter a licensed premises at any time to ensure compliance with liquor laws and health regulations. This long-standing authority has been a cornerstone of effective alcohol regulation. HB 1375 would override these provisions, creating a weaker enforcement environment and potentially increasing violations.

**Unworkable Timelines for Enforcement**

HB 1375 also introduces an unreasonable 14-day window for filing a complaint against a license holder, measured from the date of the alleged violation rather than from the date of discovery. This provision fails to account for the practical realities of enforcement. Fargo's city commission,

which oversees licensing matters, meets only once per month. If a violation occurs early in the month and is not discovered until later, there may be no opportunity to initiate enforcement action within the proposed deadline. The current standard—allowing action upon notice of a violation—ensures that enforcement can be carried out fairly and effectively.

House Bill 1375 prioritizes the convenience of liquor license holders over the broader need for public safety and responsible alcohol regulation. It limits the ability of law enforcement to detect and prevent illegal activity, strips local governments of their authority to enact and enforce reasonable compliance measures, and imposes unrealistic timelines that hinder enforcement efforts.

For these reasons, I respectfully urge this committee to give House Bill 1375 a **DO NOT PASS** recommendation. Thank you for your time, and I am happy to answer any questions.