

ALCOHOLIC BEVERAGES

CHAPTER 64

HOUSE BILL NO. 1566
(Gackle)

UNDER AGE POLICEMEN ON LICENSED PREMISES

AN ACT to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to persons permitted to enter or remain on licensed premises while alcoholic beverages are being sold.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 5-01-08 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

* 5-01-08. PERSONS UNDER TWENTY-ONE YEARS OF AGE PROHIBITED FROM ENTERING LICENSED PREMISES - PENALTY - EXCEPTIONS.) Except as permitted in this section and section 5-02-06, any person under twenty-one years of age purchasing, attempting to purchase, or being in possession of alcoholic beverages, or furnishing money to any person for such purchase, or entering any licensed premises where alcoholic beverages are being sold or displayed, except a restaurant when accompanied by a parent or legal guardian, or in accordance with section 5-02-06, or if the person is a law enforcement officer entering the premises in the performance of official duty, is guilty of a class B misdemeanor.

SECTION 2. AMENDMENT.) Section 5-02-06 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

* 5-02-06. PROHIBITIONS AS TO PERSONS UNDER TWENTY-ONE YEARS OF AGE - PENALTY - EXCEPTIONS.) Except as permitted in this section, any licensee who dispenses alcoholic beverages to a person under twenty-one years of age, or who permits such a person to remain on the licensed premises while alcoholic beverages are being sold or displayed, is guilty of a class A misdemeanor, subject to the provisions of sections 5-01-08, 5-01-08.1, and 5-01-08.2. Any person under twenty-one years of age may remain in a restaurant where alcoholic beverages are being sold if (1) accompanied by a parent or legal guardian, (2) employed by the restaurant as a food waiter, food waitress, busboy, or busgirl under the direct supervision of a person twenty-one or more years

*NOTE: Section 5-01-08 was also amended by section 30 of Senate Bill No. 2039, chapter 106.

*NOTE: Section 5-02-06 was also amended by section 37 of Senate Bill No. 2039, chapter 106.

of age, and not engaged in the sale, dispensing, delivery, or consumption of alcoholic beverages, or (3) if the person is a law enforcement officer entering the premises in the performance of official duty. Any establishment where alcoholic beverages are sold may employ persons from eighteen to twenty-one years of age to work in the capacity of musicians under the direct supervision of a person over twenty-one years of age.

Approved March 27, 1975

CHAPTER 65

HOUSE BILL NO. 1580
(Eagles, Raymond)

**BAN ON EXCHANGES FOR
ALCOHOLIC BEVERAGES**

AN ACT to create and enact a new section to chapter 5-02 of the North Dakota Century Code, to prohibit retail alcoholic beverage licensees from accepting goods, chattels, or other personal property in exchange for alcoholic beverages, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 5-02 of the 1973 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

SALE OF ALCOHOLIC BEVERAGES IN EXCHANGE FOR GOODS PROHIBITED.) Any licensee engaged in the retail sale of alcoholic beverages who shall accept goods, chattels, or other tangible personal property, other than money, checks, legal tender, negotiable instruments, or other evidences of debt, in exchange for any alcoholic beverages shall be guilty of a class B misdemeanor.

Approved March 12, 1975