

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1344

(Representatives Kasper, Becker, Heinert, Johnston, Lefor, Louser, D. Ruby, Steiner)
(Senators Bekkedahl, Hogue, Klein, J. Roers)

AN ACT to amend and reenact section 5-02-13 of the North Dakota Century Code, relating to the removal of an unfinished bottle of wine from a restaurant.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1344.

House Vote: Yeas 83 Nays 5 Absent 6

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State