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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2132

03/11/2021 Authored by Berg; Boldon; Hanson, J., and Frederick
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to liquor; authorizing outdoor consumption for certain on-sale license
1.3 holders; amending Minnesota Statutes 2020, section 340A.404, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2020, section 340A.404, subdivision 4, is amended to read:

1.6 Subd. 4. Special provisions; sports, conventions, or cultural facilities; community
1.7 festivals. (a) The governing body of a municipality may authorize a holder of a retail on-sale
1.8 intoxicating liquor license issued by the municipality or by an adjacent municipality to
1.9 dispense intoxicating liquor at any convention, banquet, conference, meeting, or social affair
1.10 conducted on the premises of a sports, convention, or cultural facility owned by the
1.11 municipality or instrumentality thereof having independent policy-making and appropriating
1.12 authority and located within the municipality. The licensee must be engaged to dispense
1.13 intoxicating liquor at an event held by a person or organization permitted to use the premises,
1.14 and may dispense intoxicating liquor only to persons attending the event. The licensee may
1.15 not dispense intoxicating liquor to any person attending or participating in a youth amateur
1.16 athletic event, for persons 18 years of age or younger, held on the premises.

1.17 (b) The governing body of a municipality may authorize a holder of a retail on-sale
1.18 intoxicating liquor license issued by the municipality to dispense intoxicating liquor off
1.19 premises at a community festival held within the municipality. The authorization shall
1.20 specify the area in which the intoxicating liquor must be dispensed and consumed, and shall
1.21 not be issued unless the licensee demonstrates that it has liability insurance as prescribed
1.22 by section 340A.409 to cover the event.

2.1 (c) Notwithstanding section 340A.410, subdivision 7, the governing body of a
2.2 municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by
2.3 the municipality to dispense and allow consumption of intoxicating liquor at outdoor areas
2.4 not contiguous to the location specified in the approved license application, which will be
2.5 regarded as included in the licensed premises. The authorization must (1) specify the
2.6 additional areas in which the intoxicating liquor must be dispensed and consumed, (2)
2.7 require conspicuous demarcation and signage to prevent off-premises consumption, and (3)
2.8 specify duration of the authorization if temporary. The authorization will not be issued
2.9 unless the licensee demonstrates direct control and proof of liability insurance for the
2.10 premises as prescribed by section 340A.409. Direct control may be demonstrated by deed,
2.11 lease, contract, or permission of the governing body giving the licensee the right to use the
2.12 property.