A bill for an act

relating to liquor; expanding the conditions under which penalties may be assessed against alcohol license holders; increasing maximum penalties; amending Minnesota Statutes 2008, section 340A.415.

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

Section 1. Minnesota Statutes 2008, section 340A.415, is amended to read:

340A.415 LICENSE REVOCATION OR SUSPENSION; CIVIL PENALTY.

On a finding that the license or permit holder has (1) sold alcoholic beverages to another retail licensee for the purpose of resale, (2) purchased alcoholic beverages from another retail licensee for the purpose of resale, (3) conducted or permitted the conduct of gambling on the licensed premises in violation of the law, (4) failed to remove or dispose of alcoholic beverages when ordered by the commissioner to do so under section 340A.508, subdivision 3, ~~or~~ (5) failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages or the operation of the licensed establishment, or (6) failed to comply with a lawful license condition duly imposed by the authority issuing the license or permit or agreed to by the license or permit holder, the commissioner or the authority issuing a retail license or permit under this chapter may revoke the license or permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to ~~$2,000~~ $10,000 for each violation, impose any reasonably necessary and lawful conditions upon the continued operation of the establishment, or impose any combination of these sanctions. Additionally, the commissioner or the authority issuing a retail license or permit under this chapter may impose any of these sanctions or a combination thereof upon a finding that the licensed establishment or the way in which it is operated significantly disturbs or interferes with the safety, health, and livability of the public, nearby residents,

or businesses. No suspension or revocation takes effect until the license or permit holder has been given an opportunity for a hearing under sections 14.57 to 14.69 of the Administrative Procedure Act. This section does not require a political subdivision to conduct the hearing before an employee of the Office of Administrative Hearings. Imposition of a penalty or suspension by either the issuing authority or the commissioner does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum. Nothing in this section shall be construed to limit the applicability of section 340A.509, except that a local authority may not charge a penalty greater than that allowed in this section.