

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 891

(SENATE AUTHORS: OSMEK)

DATE
02/13/2017

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Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to liquor; extending the hours of sale; amending Minnesota Statutes 2016,
- 1.3 section 340A.504, subdivisions 2, 3, 7.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2016, section 340A.504, subdivision 2, is amended to read:
- 1.6 Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for consumption
- 1.7 on the licensed premises may be made:
- 1.8 (1) between ~~2:00~~ 4:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- 1.9 (2) after ~~2:00~~ 4:00 a.m. on Sundays, except as provided by subdivision 3.
- 1.10 **EFFECTIVE DATE.** This section is effective July 1, 2017.
- 1.11 Sec. 2. Minnesota Statutes 2016, section 340A.504, subdivision 3, is amended to read:
- 1.12 Subd. 3. **Intoxicating liquor; Sunday sales; on-sale.** (a) A restaurant, club, bowling
- 1.13 center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale
- 1.14 intoxicating liquor license may sell intoxicating liquor for consumption on the premises in
- 1.15 conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and ~~2:00~~ 4:00
- 1.16 a.m. on Mondays.
- 1.17 (b) An establishment serving intoxicating liquor on Sundays must obtain a Sunday
- 1.18 license. The license must be issued by the governing body of the municipality for a period
- 1.19 of one year, and the fee for the license may not exceed \$200.
- 1.20 (c) A city may issue a Sunday intoxicating liquor license only if authorized to do so by
- 1.21 the voters of the city voting on the question at a general or special election. A county may

issue a Sunday intoxicating liquor license in a town only if authorized to do so by the voters of the town as provided in paragraph (d). A county may issue a Sunday intoxicating liquor license in unorganized territory only if authorized to do so by the voters of the election precinct that contains the licensed premises, voting on the question at a general or special election.

(d) An election conducted in a town on the question of the issuance by the county of Sunday sales licenses to establishments located in the town must be held on the day of the annual election of town officers.

(e) Voter approval is not required for licenses issued by the Metropolitan Airports Commission or common carrier licenses issued by the commissioner. Common carriers serving intoxicating liquor on Sunday must obtain a Sunday license from the commissioner at an annual fee of \$75, plus \$30 for each duplicate.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 340A.504, subdivision 7, is amended to read:

Subd. 7. **Sales after 1:00 a.m.; permit fee.** (a) No licensee may sell intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and ~~2:00~~ 4:00 a.m. unless the licensee has obtained a permit from the commissioner. Application for the permit must be on a form the commissioner prescribes. Permits are effective for one year from date of issuance. For retailers of intoxicating liquor, the fee for the permit is based on the licensee's gross receipts from on-sales of alcoholic beverages in the 12 months prior to the month in which the permit is issued, and is at the following rates:

(1) up to \$100,000 in gross receipts, \$300;

(2) over \$100,000 but not over \$500,000 in gross receipts, \$750; and

(3) over \$500,000 in gross receipts, \$1,000.

For a licensed retailer of intoxicating liquor who did not sell intoxicating liquor at on-sale for a full 12 months prior to the month in which the permit is issued, the fee is \$200. For a retailer of 3.2 percent malt liquor, the fee is \$200.

(b) The commissioner shall deposit all permit fees received under this subdivision in the alcohol enforcement account in the special revenue fund.

(c) Notwithstanding any law to the contrary, the commissioner of revenue may furnish to the commissioner the information necessary to administer and enforce this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2017.