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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 155

January 15, 2009

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to liquor; allowing liquor sales on Sunday and dedicating tax receipts
1.3 to county social services for children; creating a fund; appropriating money;
1.4 amending Minnesota Statutes 2008, section 340A.504, subdivisions 2, 3, 4, 5.

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

1.6 Section 1. Minnesota Statutes 2008, section 340A.504, subdivision 2, is amended to
1.7 read:

1.8 Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for
1.9 consumption on the licensed premises may be made:

1.10 ~~(1) between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;~~

1.11 ~~(2) after 2:00 a.m. on Sundays, except as provided by subdivision 3.~~

1.12 Sec. 2. Minnesota Statutes 2008, section 340A.504, subdivision 3, is amended to read:

1.13 Subd. 3. **Intoxicating liquor; Sunday sales; on-sale.** (a) ~~A restaurant, club,~~
1.14 ~~bowling center, or hotel with a seating capacity for at least 30 persons and which holds~~
1.15 All holders of an on-sale intoxicating liquor license may sell intoxicating liquor for
1.16 consumption on the premises in conjunction with the sale of food between the hours of
1.17 10:00 a.m. on Sundays and 2:00 a.m. on Mondays.

1.18 (b) An establishment serving intoxicating liquor on Sundays must obtain a Sunday
1.19 license. The license must be issued by the governing body of the municipality for a period
1.20 of one year, and the fee for the license may not exceed \$200.

1.21 ~~(c) A city may issue a Sunday intoxicating liquor license only if authorized to do~~
1.22 ~~so by the voters of the city voting on the question at a general or special election. A~~
1.23 ~~county may issue a Sunday intoxicating liquor license in a town only if authorized to do~~

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

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

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

2.12 Sec. 3. Minnesota Statutes 2008, section 340A.504, subdivision 4, is amended to read:

2.13 Subd. 4. **Intoxicating liquor; off-sale.** No sale of intoxicating liquor may be made
 2.14 by an off-sale licensee:

2.15 ~~(1) on Sundays;~~

2.16 ~~(2) (1) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;~~

2.17 ~~(3) (2) on Thanksgiving Day;~~

2.18 ~~(4) (3) on Christmas Day, December 25; or~~

2.19 ~~(5) (4) after 8:00 p.m. on Christmas Eve, December 24.~~

2.20 Sec. 4. Minnesota Statutes 2008, section 340A.504, subdivision 5, is amended to read:

2.21 Subd. 5. **Bottle clubs.** No establishment licensed under section 340A.414, may
 2.22 permit a person to consume or display intoxicating liquor, and no person may consume or
 2.23 display intoxicating liquor between 1:00 a.m. and ~~12:00 noon~~ 10:00 a.m. on Sundays, and
 2.24 between 1:00 a.m. and 8:00 a.m. on Monday through Saturday.

2.25 Sec. 5. **SUNDAY TAXES RESERVED.**

2.26 All sales taxes collected on Sundays at off-sale liquor establishments shall be
 2.27 reported to the state separately and shall be reserved by the state in a special account to be
 2.28 called the Sunday Sales Account.

2.29 Sec. 6. **SUNDAY SALES ACCOUNT APPROPRIATIONS.**

2.30 The state shall remit all receipts in the Sunday Sales Account collected in a given
 2.31 county to that county on a quarterly basis. Funds remitted are appropriated for use by
 2.32 counties for county social services provided to children.

3.1 Sec. 7. **EFFECTIVE DATE.**

3.2 This act is effective on July 1, 2009, and applies to all licensing jurisdictions after
3.3 that date that do not enact an ordinance to prohibit Sunday sales.