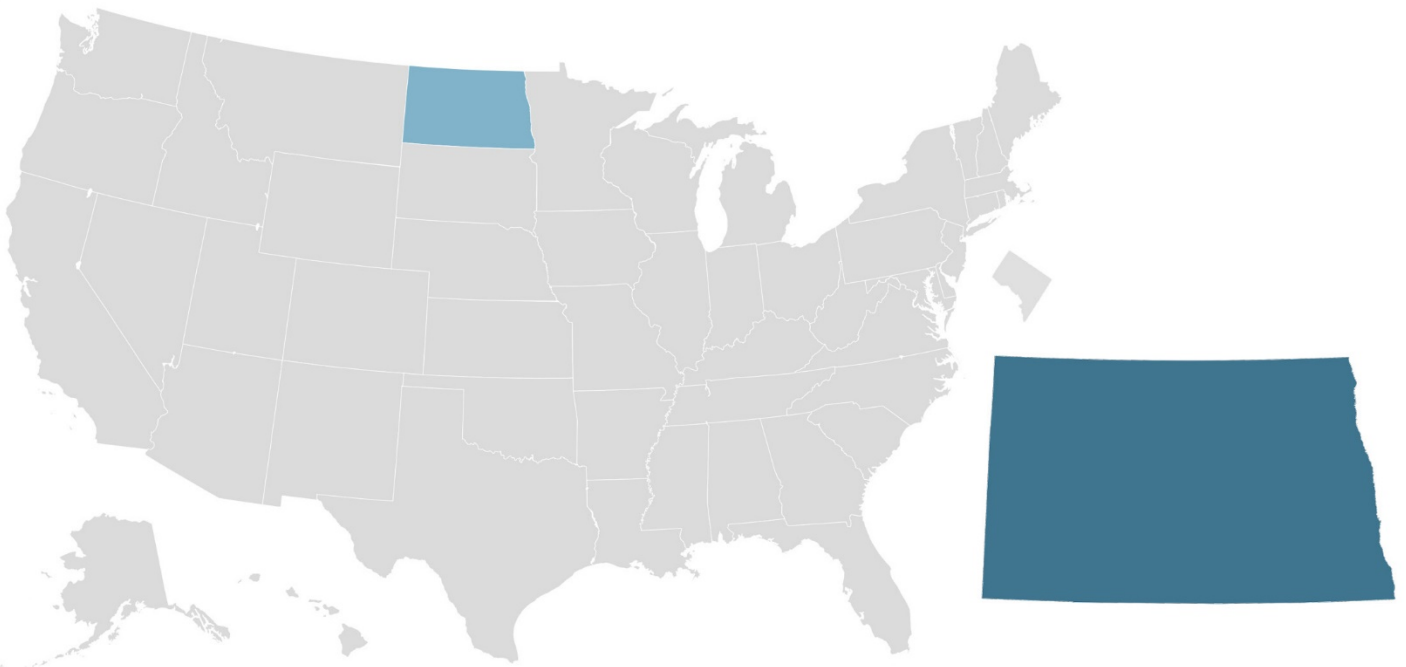




SAMHSA
Substance Abuse and Mental Health
Services Administration

North Dakota

2021 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2020. Regional and state profile data were drawn from the most recently available federal survey data as of 2019. State legal data reflect the status of the law as of January 1, 2020. State survey data, collected in 2020, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12- to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2016 through 2019 National Surveys on Drug Use and Health (NSDUH), the Substance Abuse and Mental Health Services Administration’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2020). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2011–2015 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2019 data used to present statistics about fatalities among 15- to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2021). *2021 North Dakota State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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NORTH DAKOTA



THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



North Dakota

State Population: 762,062
Population Ages 12–20: 91,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	25,000 (27.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	18,000 (19.7%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	1,000 (2.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	<1,000 (1.7%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	4,000 (16%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,000 (8.4%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	20,000 (53.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	15,000 (40.4%)
Adults Ages 18 +	
Past-Month Alcohol Use – (Percentage)	(60.9%)
Past-Month Binge Alcohol Use – (Percentage)	(33.0%)
Age of Initiation of Alcohol Use	
Average Age of Initiation	16.6
Alcohol-Related Deaths	
Alcohol-Attributable Deaths (under 21)	8
Years of Potential Life Lost (under 21)	506
Fatal Crashes Involving a 15- to 20-Year-Old Driver with Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver with BAC > 0.01%	1
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	(13%)

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health Services Overview¹¹

The Behavioral Health Division within the Department of Human Services serves as the state mental health authority, state substance abuse authority (SSA), and state opioid treatment authority. The Behavioral Health Division (NDCC 50-06-01.4) is a policy division responsible for reviewing and identifying service needs and activities in the state's behavioral health system to ensure health and safety, access to services, and quality of services. The Division is also responsible for establishing quality assurance standards for the licensure of substance use disorder program services and facilities and for providing policy leadership in partnership with public and private entities. The Behavioral Health Division does not provide direct services; rather, its role is to ensure health and safety and access to a wide range of quality behavioral health services across the state.

The Field Services Division within the Department of Human Services operates eight regional human service centers, the State Hospital, and the Life Skills and Transition Center. During the 2017 Legislative Session, Senate Bill 2039 (NDCC 50-06-01.4) further defined the purpose of the service delivery division within the Department of Human Services. This service delivery division is responsible for providing chronic disease management, regional intervention services, and 24-hour crisis services for individuals with behavioral health disorders.

Each human service center serves a designated multi-county area, providing mental health services, substance abuse treatment, disability services, and other human services. The regional human service centers are the access point for State Hospital admissions. Open access walk-in behavioral health assessments have been implemented throughout many of the human service centers on certain days and times of the week. During these times, individuals can walk in and meet with a triage specialist and the business office and are then connected to services. Those with acute, severe symptoms are served right away. Others may be served within one to several days or may be referred to other community behavioral health service providers. Crisis lines are answered 24 hours a day, 7 days a week. During the 2019 Legislative Session, the Field Services Division was funded to fully implement a crisis service system statewide.

Delivering human services involves a partnership between the Department, counties, tribes, and service providers. In addition to providing direct services themselves, the regional human service centers also contract with private non-profit providers for crisis residential services, most residential services, and the Recovery Centers.

Substance Abuse Prevention System

The North Dakota substance abuse prevention system is data-driven, science-based, and follows a public health approach. Prevention services in North Dakota are delivered both directly by the SSA and through community organizations/groups/coalitions supported by the Substance Abuse Prevention and Treatment Block Grant (SABG), Strategic Prevention Framework – Partnerships for Success (SPF-PFS), Opioid State Targeted Response, State Opioid Response (SOR) Grant, and other funding sources. Examples of services delivered directly by the SSA include funding community prevention efforts, provision of training and technical assistance to communities

¹¹ Extracted from fiscal year (FY) 2020/2021 – (North Dakota) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment (CSAT), Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

across the state, and statewide communication/media. Both state- and community-based processes are guided by the Strategic Prevention Framework. Through the state’s State Epidemiological Outcomes Workgroup, North Dakota reviews available data to ensure services address the needs of diverse racial, ethnic, sexual, and gender minorities.

Through the Strategic Prevention Framework-State Incentive Grant, SPF-PFS, and SABG, substance abuse prevention has been integrated into local public health units across the state. This integration has been beneficial to the state’s community-level substance abuse prevention system in building a sustainable infrastructure that can continue substance abuse prevention through continued support by the SABG. Examples of services delivered at the community level, supported by the SABG, include funding to tribal prevention programs and local public health units. The Division’s substance abuse prevention system continues to enhance the level to which SABG funds are invested to support implementation of community and tribal prevention efforts that can achieve population-level changes. The tribal prevention programs are required to follow the Strategic Prevention Framework as they provide culturally appropriate substance abuse prevention coordination and implementation of evidence-based programs, practices, and strategies. This work is one of the strengths of the North Dakota substance abuse prevention system—longstanding collaboration with the tribes in the state.

Expenditures for Substance Abuse Prevention and Treatment

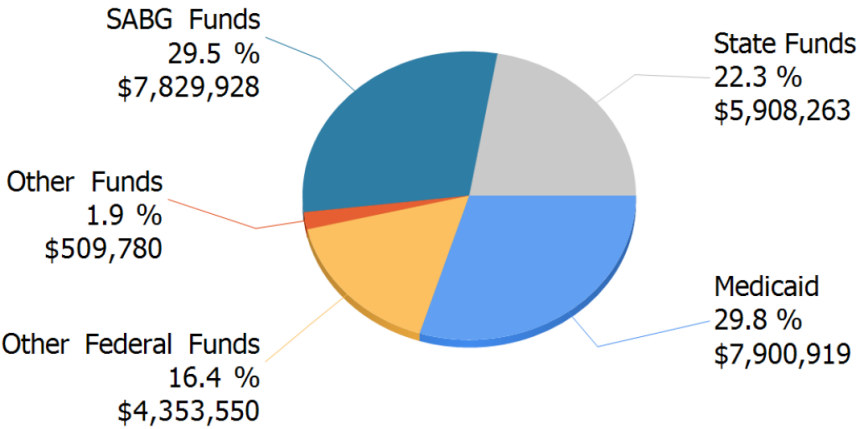
All states receive federal funds for substance abuse prevention through SABG funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that North Dakota used for expenditures on substance abuse prevention and treatment in 2020. As indicated, Medicaid funds and SABG funds account for the largest sources (29.8 percent and 29.5 percent, respectively).¹²

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2020–2021, North Dakota designated decreasing alcohol use among high school students as part of the number two priority for use of SABG funds.¹³

¹² WebBGAS State Profile, 2020 SABG and Community Mental Health Block Grant (MHBG) Reports – North Dakota 2020.

¹³ FY 2020/2021 – (North Dakota) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, CSAT, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of North Dakota’s 2020 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details North Dakota's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

State Laws and Policies: These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

1. Underage possession or purchase of alcohol.
2. Underage drinking and driving.
3. Alcohol availability.
4. Sales and delivery to consumers at home.
5. Alcohol pricing.
6. Enforcement policies.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Underage Possession or Purchase of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is possession allowed if parent or guardian is present or consents? • Is possession allowed if spouse is present or consents? 	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is consumption allowed if parent or guardian is present or consents? • Is consumption allowed if spouse is present or consents? 	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is internal possession allowed if parent or guardian is present or consents? • Is internal possession allowed if spouse is present or consents? 	N/A
Is there an exception based on location?	N/A
<p>Notes: North Dakota has a statutory provision that prohibits an individual under 21 from having "recently consumed" an alcoholic beverage. N.D. Cent. Code § 5-01-08. Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No

Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	Yes
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> Purchase of alcohol 	N/A
<ul style="list-style-type: none"> Possession of alcohol 	N/A

• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	14
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12 (6 months if driver is 16 or over)
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15
For night driving, when does adult supervision requirement begin?	Later of sunset or 9:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	No
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	N/A
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16

Alcohol Availability

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	

Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
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Responsible Beverage Service (RBS)	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	N/A

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21

Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes
Notes: Any person who is 18 years of age or older but under 21 years of age may be employed by the restaurant to serve and collect money for alcoholic beverages, if the person is under the direct supervision of a person 21 or more years of age, but may not be engaged in mixing, dispensing, or consuming alcoholic beverages.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of underage status.)
Does common law dram shop liability exist?	No
Notes: If a retail licensee is found liable and exemplary damages are sought, the finder of fact may consider as a mitigating factor that the licensee provided to an employee alcohol server training that addressed intoxication, drunk driving, and underage drinking.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of underage status.)
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Keg Registration	
How is a keg defined (in gallons)?	More than 6.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Not required
Is a deposit required?	No
Does law cover disposable kegs?	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Sales and Delivery to Consumers at Home

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	Yes

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No Law
Wine	No Law
Spirits	No Law

Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.16
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	5.00%

<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.00%
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Notes: Beer in bulk containers is taxed at \$0.08 per gallon.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.50
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.00%
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.50

Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	5.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	5.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	2.00%
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

Enforcement Policies

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

North Dakota State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

North Dakota does not have an agency that has a primary responsibility for enforcing laws designed to prevent underage drinking.

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

Local law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws No

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Not applicable

Such laws are also enforced by local law enforcement agencies Not applicable

Enforcement Statistics

State collects data on the number of minors found in possession Yes

Number of minors found in possession¹ by state law enforcement agencies 1,668

Number pertains to the 12 months ending 12/31/2019

Data include arrests/citations issued by local law enforcement agencies Yes

State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors No

Data are collected on these activities No

Number of retail licensees in state³ 1,594

Number of licensees checked for compliance by state agencies (including random checks) Not applicable

Number of licensees that failed state compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Not applicable

*State conducts **random** underage compliance checks/decoy operations* Not applicable

Number of licensees subject to **random** state compliance checks/decoy operations Not applicable

Number of licensees that failed **random** state compliance checks Not applicable

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors No

Number of fines imposed by the state⁴ Not applicable

Total amount in fines across all licensees Not applicable

Smallest fine imposed Not applicable

Largest fine imposed Not applicable

Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	No
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Additional Clarification

No data

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

BASICS

Number of youth served	250
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	No data
URL for more program information	https://www.ndsu.edu/counseling/basics_alcohol_screening_and_intervention/

Program Description: Brief Alcohol and Screening and Intervention for college students is a service available for students who want to explore their alcohol and other drug use. It is designed to assist students in examining their own behaviors in a judgment-free environment. BASICS may be required when a student violates NDUS policy in regards to alcohol and other drugs.

Campus Attractions

Number of youth served	9,200
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	https://www.ndsu.edu/campusattractions/

Program Description: Campus Attractions (CA) is dedicated to serving the North Dakota State University community by providing educational, cultural, social, and recreational programs and activities through a wide variety of resources. CA works hard to provide NDSU students with many unique and entertaining opportunities that are alcohol- and substance abuse-free.

CHOICES

Number of youth served	400
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report	Not applicable
URL for more program information	Not applicable

Program Description: CHOICES is a brief alcohol abuse prevention and harm reduction program for college students involving interactive journaling. The CHOICES program involves a 90-minute class facilitated by professional staff or peers. Throughout the course, students are presented with information and then they are able to reflect in their personal journals on what they have learned as it relates to their choices about drinking. The CHOICES program is presented to student-athletes (ND highest-risk college population subset) at four campuses and shared with first-year students in a classroom setting at three campuses. The CHOICES program is shared in a nonconfrontational manner that enables students to make their own decisions about alcohol consumption.

Speak Volumes

Number of youth served	319
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.speakvolumes.nd.gov/
URL for more program information	https://www.speakvolumes.nd.gov/

Program Description: The Speak Volumes campaign was developed by the Department of Human Services State Strategic Prevention Framework/State Incentive Grant (SPF/SIG). <http://speakvolumes.nd.gov/>

* It is a marketing campaign that educates on the concept of knowing how much alcohol is in a drink. For example, a Long Island Ice Tea may contain three to four shots of various kinds of alcohol. Speak Volumes makes a person aware that having that one Long Island Ice Tea is really consuming three to four different drinks. Bringing awareness to just how much alcohol a person is really consuming assists in illustrating the binge drinking concept.

*This campaign briefly introduces the binge drinking concept.

*In addition, posters of this campaign have been made visible in a variety of different settings around the campus and in campus housing.

*Standard drink size, what binge drinking is, and information on the medical amnesty law was shared with 319 incoming students in conjunction with completing E-chug. Standard drink size magnets were given out at some events.

Under the Influence

Number of youth served	7
Number of parents served	0

Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	Not applicable

Program Description: Under the Influence is an online alcohol education/intervention program that is used as an outcome for students who have been documented for an alcohol violation in Minot State University Residence Halls. This module is a typical outcome for first-time alcohol offenses. Seven students have taken the module from January 1, 2019 to December 31, 2019.

Don't Cancel Class

Number of youth served	350
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	https://www.ndscs.edu/current-students/wellness-safety/alcohol-other-drug-information

Program Description: The "Don't Cancel Class" initiative at NDSCS is intended to support faculty who may need to be away from class due to a professional or personal conflict. Professional staff can cover a class and present on a topic that may be related to any course or is relevant to college students and the issues they may face while in college.

A Shot of Reality

Number of youth served	50
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	https://bass-schuler.com/a-shot-of-reality/

Program Description: A Shot of Reality is an alcohol awareness show that was created out of research with help from LAPD, Mothers Against Drunk Driving, and Alcoholics Anonymous staff. This show is performed by two professional comedians who make the topic engaging. While covering multiples facets of responsible alcohol use, the show keeps students engaged with a powerful combination of levity and realistic discussion. The performers use props and prizes to keep the students actively engaged throughout the show. The performers ask hard questions of the audience to give students the chance to hear real life experiences from their peers, making this program more personal.

SafeColleges Training-Alcohol Awareness Course

Number of youth served	1,087
Number of parents served	0

Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	bismarckstate.edu/safe colleges

Program Description: Required of all incoming on-campus students ages 17-24. Course Description: Often, students underestimate the potentially dangerous effects of alcohol consumption. Excessive drinking can lead to poor grades, addiction, violence, sexual assault, drunk driving, alcohol poisoning, and in some cases, death. This course provides college students with important awareness of issues related to alcohol and some precautions to consider. 25 minutes long. Completed online.

E-CheckUp to Go

Number of youth served	2,500
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	echeckuptogo.com
URL for more program information	echeckuptogo.com

Program Description: e-CheckUp is a personalized, evidence-based, online prevention and intervention tool originally developed by the psychologists at San Diego State University. Drawing on Motivational Interviewing (Miller & Rollnick, 2002) and Social Norms Theory (Perkins & Berkowitz, 1986), the e-CheckUp program is designed to motivate individuals to reduce their consumption using personalized information about their own drinking and risk factors, providing those who have not yet chosen to drink with valuable information so that if they do choose to drink in the future, they are able to make well-informed decisions. It is also personalized to each campus using the most recent alcohol and other drug survey information from that campus. The e-CheckUp takes approximately 15 minutes to complete (depending on the student). Students' personal feedback includes information that has been shown to be particularly motivating to college-aged young adults, including: Quantity and Frequency of Alcohol Use, Amount of Alcohol Consumed, Normative Consequences Feedback, Explanation, Advice and Local Referral Information.

"Think..."

Number of youth served	350
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	No data

Program Description: Think... is a program that focuses on the overall well-being of the NDSU student community. Think... was designed in collaboration with the Healthy Herd Champion Peer Educators to offer education and knowledge to student that allows them to make positive choices when making discussions. Think... will focus on, but not be limited to: underage drinking, harm reduction in relation to alcohol use, mental health, suicide awareness, stress management and overall well-being.

"rethink...that drink" is a program within "Think..." that focuses on alcohol education and how alcohol affects someone both physically and emotionally. "rethink...that drink" also educates on how students can reduce their

risk of negative side effects (harm reduction) if they choose to drink alcohol. During this presentation, it is made clear that the only low-risk option for drinking is to not drink and addresses consequences for underage drinking. Talks have taken place at Saturday Night Live events, Greek organizations, campus organizations, tabling events, and in classrooms.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: The Department of Human Services contracts with tribes and local tribal entities to provide culturally appropriate substance abuse prevention programs, policies, and practices. These programs follow the Strategic Prevention Framework (SPF). These programs work collaboratively with the Tribal Tobacco Prevention Programs.

The ND Department of Transportation involves tribal law enforcement in regional impaired driving prevention enforcement activities.

Substance Abuse Prevention programs are available on each reservation in North Dakota: Spirit Lake Nation, Standing Rock Sioux Tribe, Three Affiliated Tribes (MHA Nation), and Turtle Mountain Band of Chippewa Indians.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing Yes

Description of program: Parents Lead is an evidence-based underage drinking prevention effort targeting parents through statewide, web-based, and traditional media communication. The program is designed to help parents initiate and/or continue conversations with their children about behavioral health-related topics, such as educating about underage drinking, modeling positive and healthy behaviors, monitoring children's whereabouts, and providing support and engagement.

Two key components of the program are 1) its interactive website (www.parentslead.org), which features pages for parents, communities, and professionals offering useful tips, tools, and resources; and 2) its Facebook page (www.facebook.com/parentslead), which offers followers relevant up-to-date tips, tools, and resources through social media.

Parents Lead also engages in various outreach efforts, such as presenting at professional development conferences (e.g., mental health, addiction provider, school counselor, etc.) and local events, and utilizing digital mass media (e.g., commercials, PSAs, etc.) to promote the message and resources.

State collaborates with/participates in media campaigns to prevent underage drinking Yes

Federal campaigns: No

Regional and local media campaigns: Parents Lead; Not in My House Yes

Local school district efforts: No

Other: No

State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You." (TTHY) Don't know/No answer

State officially endorses TTHY efforts Not applicable

State commits state resources for TTHY Not applicable

State forwards TTHY materials to local areas Not applicable

Other: Not applicable

State procures funding for TTHY Not applicable

Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): SAMHSA; OJJDP; NHTSA	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: North Dakota follows evidence-based prevention through a focus on addressing risk and protective factors, following SPF and the public health model while emphasizing environmental strategies, such as enforcement. North Dakota prevention efforts are directed through a data-driven decision-making process.	

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Pamela Sagness
 Email: psagness@nd.gov
 Address: 600 E Boulevard Ave, Dept 325 Bismarck, ND 58505
 Phone: (701) 328-8920

Agencies/organizations represented on the committee:

- ND Department of Human Services
- ND Department of Health
- ND Department of Transportation
- ND Department of Public Instruction
- Advocate Representative
- ND Office of the First Lady
- ND Legislative Assembly Representatives
- ND University System
- ND Highway Patrol
- ND Indian Affairs
- ND Judiciary
- Local Law Enforcement
- ND Addiction Counselor Representative

A website or other public source exists to describe committee activities No
 URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last three years Yes
 Prepared by: ND Department of Human Services
 Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last three years Yes
 Prepared by: ND Department of Human Services
 Report can be accessed via: <https://www.prevention.nd.gov/data>

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended	\$0 - Do not use state funds
Estimate based on the 12 months ending	12/21/2019

Checkpoints and saturation patrols:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

K-12 school-based programs to prevent underage drinking:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Programs targeted to institutes of higher learning:

Estimate of state funds expended	\$120,000
Estimate based on the 12 months ending	12/31/2020

Programs that target youth in the juvenile justice system:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Programs that target youth in the child welfare system:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Other programs:

Programs or strategies included:	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No data
Fines	No data
Fees	No data
Other: No data	No data

Description of funding streams and how they are used:

No data

Additional Clarification

State funds are not used on compliance check operations, only federal funds.



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

