

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 4
PROPOSED COMMITTEE SUBSTITUTE H4-PCS10005-TQ-1

Short Title: Extend ABC Permit Renewal Fee Deferral.

(Public)

Sponsors:

Referred to:

January 28, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE DELAY ON THE PAYMENT DEADLINE FOR CERTAIN ABC
3 PERMIT RENEWALS AND TO DIRECT THE ABC COMMISSION TO REINSTATE OR
4 REACTIVATE CERTAIN CANCELLED OR INACTIVATED ABC PERMITS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 1 of S.L. 2020-94 reads as rewritten:

7 "**SECTION 1.** Notwithstanding G.S. 18B-903, payment of the fee for renewal or registration
8 of an ABC permit held by an ABC permittee that is prohibited from operating pursuant to
9 Executive Order No. 141, Easing Restrictions on Travel, Business Operations, and Mass
10 Gatherings, shall not be required until 90 days after the date ~~the Governor signs an executive~~
11 ~~order rescinding the prohibition on those permittees' operation, all executive orders responding~~
12 to the COVID-19 pandemic and limiting the full operation of the permittee are rescinded or
13 expire, provided the ABC permittee notifies the ABC Commission in writing, including by e-mail
14 or other electronic means, of its intent to delay payment."

15 **SECTION 2.** Section 2 of S.L. 2020-94 is repealed.

16 **SECTION 3.** Any ABC permittee that (i) is prohibited from operating pursuant to
17 Executive Order No. 141, Easing Restrictions on Travel, Business Operations, and Mass
18 Gatherings, (ii) is subject to any executive order responding to the COVID-19 pandemic and
19 limiting the full operation of the permittee, and (iii) has paid a fee for renewal or registration of
20 an ABC permit for the 2020-2021 permit year, may request a refund of the fee from the ABC
21 Commission. The request shall be made to the ABC Commission in writing, including by email
22 or other electronic means. The refund shall be granted regardless of whether the permittee is
23 operating at limited capacity pursuant to an executive order responding to the COVID-19
24 pandemic. A permittee that receives a refund from the Commission pursuant to this section shall
25 repay the fee before the expiration of the period established by Section 1 of S.L. 2020-94, as
26 amended by Section 1 of this act.

27 **SECTION 4.** The ABC Commission shall reinstate or reactivate any ABC permits
28 it cancelled or moved to inactive status as a result of its interpretation of Section 1 of S.L. 2020-94
29 as it existed prior to being amended by Section 1 of this act. In implementing this section, the
30 Commission shall not require affected ABC permittees to submit an application or pay any fees
31 required under G.S. 18B-902. Any permittee whose permit was cancelled or moved to inactive
32 status in this manner and who paid the permit fee to have the permit reinstated or reactivated may
33 request a refund pursuant to Section 3 of this act.

34 **SECTION 5.** Section 1 of this act is retroactively effective June 30, 2020. The
35 remainder of this act is effective when it becomes law.



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