

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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PROPOSED SENATE COMMITTEE SUBSTITUTE H768-PCS30592-TQf-44

Short Title: 2022 ABC Omnibus.

(Public)

Sponsors:

Referred to:

May 4, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE ALCOHOLIC BEVERAGE LAWS OF  
3 THIS STATE.

4 The General Assembly of North Carolina enacts:

5  
6 **REPEAL LIMITED WINERY PERMIT**

7 **SECTION 1.** G.S. 18B-1103 is repealed.

8  
9 **CREATE PACKAGING AND LOGISTICS PERMIT**

10 **SECTION 2.(a)** G.S. 18B-902(d) is amended by adding a new subdivision to read:

11 "(51) Packaging and logistics permit – \$300.00."

12 **SECTION 2.(b)** Article 11 of Chapter 18B of the General Statutes is amended by  
13 adding a new section to read:

14 "**§ 18B-1110.1. Authorization of packaging and logistics permit.**

15 (a) Authorization. – The holder of a packaging and logistics permit may:

16 (1) Receive, in closed containers, malt beverages, unfortified wine, fortified wine,  
17 and spirituous liquor from a supplier for the purpose of packaging,  
18 repackaging, labeling, relabeling, storage, and shipping.

19 (2) Package, repack, label, and relabel malt beverages, unfortified wine,  
20 fortified wine, and spirituous liquor received from a supplier.

21 (3) Subject to the record-keeping requirements of G.S. 18B-1115, transport into  
22 or out of the State in closed containers the maximum amounts of malt  
23 beverages, unfortified wine, fortified wine, and spirituous liquor allowed  
24 under federal law, if the transportation is related to the packaging, labeling,  
25 sale, or storage permitted by this section.

26 (4) Sell, deliver, and ship malt beverages, unfortified wine, and fortified wine as  
27 provided in this section in closed containers to suppliers and wholesalers  
28 licensed under this Chapter.

29 (5) Sell, deliver, and ship spirituous liquor as provided in this section in closed  
30 containers at wholesale to exporters and local boards within the State.

31 (6) Subject to the laws of other jurisdictions, sell, deliver, and ship malt  
32 beverages, unfortified wine, fortified wine, and spirituous liquor as provided  
33 in this section to out-of-state suppliers or at wholesale or retail to private or  
34 public agencies or establishments of other states or nations.



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1       (b) Limitation. – A packaging and logistics permit does not authorize the permit holder  
2 to engage in the manufacture of alcoholic beverages except for packaging, repackaging, labeling,  
3 and relabeling. A holder of a packaging and logistics permit may not sell, deliver, or ship malt  
4 beverages, unfortified wine, fortified wine, or spirituous liquor directly to consumers or to retail  
5 establishments in this State. Nothing in this section shall be interpreted to abrogate the provisions  
6 of G.S. 18B-1119.

7       (c) Distribution Agreements. – Malt beverage and wine distribution agreements  
8 applicable between a wholesaler and an original supplier are governed by Articles 12 and 13 of  
9 this Chapter."

10           **SECTION 2.(c)** This section becomes effective August 1, 2022.

## 11 **REPEAL PURCHASE-TRANSPORTATION PERMIT**

12           **SECTION 3.(a)** G.S. 18B-101(2) reads as rewritten:

13           (2) "ABC permit" or "permits" means any written or printed authorization issued  
14 by the Commission pursuant to the provisions of this Chapter, ~~other than a~~  
15 ~~purchase-transportation permit.~~ Chapter. Unless the context clearly requires  
16 otherwise, as in the provisions concerning applications for permits, "ABC  
17 permit" or "permit" means a presently valid permit."

18           **SECTION 3.(b)** G.S. 18B-303 is repealed.

19           **SECTION 3.(c)** G.S. 18B-400 is repealed.

20           **SECTION 3.(d)** G.S. 18B-401(b) reads as rewritten:

21           (b) Taxis. – It shall be unlawful for a person operating a for-hire passenger vehicle as  
22 defined in G.S. 20-4.01(27)f., to transport fortified wine or spirituous liquor unless the vehicle is  
23 transporting a paying passenger who owns the alcoholic beverage being transported. ~~Not more~~  
24 ~~than eight liters of fortified wine or spirituous liquor, or combination of the two, may be~~  
25 ~~transported by each passenger.~~ A violation of this subsection shall not be grounds for suspension  
26 of the driver's license for illegal transportation of intoxicating liquors under G.S. 20-16(a)(8)."

27           **SECTION 3.(e)** G.S. 18B-402 is repealed.

28           **SECTION 3.(f)** G.S. 18B-403 is repealed.

29           **SECTION 3.(g)** G.S. 18B-403.1 is repealed.

30           **SECTION 3.(h)** G.S. 18B-404(a), (b), and (d) are repealed.

31           **SECTION 3.(i)** G.S. 18B-405 is repealed.

32           **SECTION 3.(j)** G.S. 18B-406 is repealed.

33           **SECTION 3.(k)** G.S. 18B-600(e2) reads as rewritten:

34           (e2) Ski Resorts ABC Elections. – Notwithstanding any other provisions of this section,  
35 any city that provides governmental services to as many as 1,000 snow skiers weekly during the  
36 normal ski season from December 1 through March 15, may hold an election authorized by  
37 subdivision (a)(1), (2), or (4) of this section. If the sale of mixed beverages is approved, ~~purchase-~~  
38 ~~transportation permits shall be issued and the sales of liquor shall be made by any local board~~  
39 ~~designated by the State ABC Commission."~~

40           **SECTION 3.(l)** G.S. 18B-603 reads as rewritten:

41           **"§ 18B-603. Effect of alcoholic beverage elections on issuance of permits.**

42           ...

43           (d2) If a county or city holds a mixed beverage election and an ABC store election at the  
44 same time and the voters do not approve the establishment of an ABC store, the Commission  
45 may issue mixed beverages permits in that county or city. ~~The mixed beverages~~  
46 ~~purchase-transportation permit authorized by G.S. 18B-404(b) shall be issued by a local board~~  
47 ~~operating a store located in the county.~~

48           ...

49           (f2) Permits for Special ABC Areas. – The Commission may issue the permits provided  
50 for in G.S. 18B-1001(1), G.S. 18B-1001(2), G.S. 18B-1001(3), G.S. 18B-1001(4),  
51

1 G.S. 18B-1001(5), G.S. 18B-1001(6), and G.S. 18B-1001(10) to qualified persons and  
2 establishments located within a Special ABC area as defined in G.S. 18B-101, provided that: (i)  
3 if such area is a municipal corporation, the area shall conduct an election authorized by  
4 subdivision (a)(4) of G.S. 18B-600, which election may be held regardless of the number of  
5 registered voters located within the municipal corporation; or (ii) if such area is unincorporated  
6 but has within such area a private association or club, the board of such private association or  
7 club shall call and conduct a special meeting at which meeting a majority of private association  
8 members, club members, lot and home owners, votes and approves the sale of mixed beverages,  
9 and the board certifies the results of such meeting to the Alcoholic Beverage Control  
10 Commission. ~~The mixed beverages purchase transportation permit authorized by~~  
11 ~~G.S. 18B-404(b) shall be issued by a local board operating a store located in the same county as~~  
12 ~~the Special ABC area.~~

13 ...."

14 **SECTION 3.(m)** G.S. 18B-701(a)(7) is repealed.

15 **SECTION 3.(n)** G.S. 18B-901(a) reads as rewritten:

16 "(a) Who Issues. – All ABC permits shall be issued by the Commission. ~~Purchase-~~  
17 ~~transportation permits shall be issued by local boards or distilleries under G.S. 18B-403."~~

18 **SECTION 3.(o)** G.S. 18B-1001(10) reads as rewritten:

19 "(10) Mixed Beverages Permit. – A mixed beverages permit authorizes the retail  
20 sale of mixed beverages for consumption on the premises. The permit also  
21 authorizes a mixed beverages permittee ~~(i) to obtain a purchase transportation~~  
22 ~~permit under G.S. 18B-403 and 18B-404, (ii) to obtain an antique spirituous~~  
23 ~~liquor permit under subdivision (20) of this section, and (iii) section and to~~  
24 use for culinary purposes spirituous liquor lawfully purchased for use in mixed  
25 beverages. The permit may be issued for any of the following:

26 ...."

27 **SECTION 3.(p)** G.S. 18B-1002 reads as rewritten:

28 "**§ 18B-1002. Special one-time permits.**

29 (a) Kinds of Permits. – In addition to the other permits authorized by this Chapter, the  
30 Commission may issue permits for the following activities:

31 ...

32 (5) A permit may be issued to a unit of local government, or to a nonprofit  
33 organization or a political organization to serve wine, malt beverages, and  
34 spirituous liquor at a ticketed event held to allow the unit of local government  
35 or organization to raise funds. For purposes of this subdivision "nonprofit  
36 organization" means an organization that is exempt from taxation under  
37 Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(8), 501(c)(10), 501(c)(19), or  
38 501(d) of the Internal Revenue Code or is exempt under similar provisions of  
39 the General Statutes as a bona fide nonprofit charitable, civic, religious,  
40 fraternal, patriotic, or veterans' organization or as a nonprofit volunteer fire  
41 department, or as a nonprofit volunteer rescue squad or a bona fide  
42 homeowners' or property owners' association. For purposes of this subdivision  
43 "political organization" means an organization covered by the provisions of  
44 G.S. 163-96(a)(1) or (2) or a campaign organization established by or for a  
45 person who is a candidate who has filed a notice of candidacy, paid the filing  
46 fees or filed the required petition, and been certified as a candidate. The  
47 issuance of this permit shall also allow ~~the issuance of a~~  
48 ~~purchase transportation permit under G.S. 18B-403 and 18B-404 and the use~~  
49 for culinary purposes of spirituous liquor lawfully purchased for use in mixed  
50 beverages. The issuance of this permit shall also allow a nonprofit  
51 organization to offer alcoholic beverages in the manufacturer's original closed

1 container as a prize in a raffle or sell alcoholic beverages in the manufacturer's  
2 original closed container at auction at the ticketed event to allow the nonprofit  
3 organization to raise funds.

- 4 (6) A permit may be issued to a professional sports organization to allow the retail  
5 sale of malt beverages, unfortified wine, fortified wine, or mixed beverages  
6 for consumption on the premises at a professional sporting event held at a  
7 stadium (i) with a seating capacity of at least 40,000 people and (ii) that is  
8 owned or leased by a constituent institution of The University of North  
9 Carolina located in a county with a population of at least 900,000 people  
10 according to the most recent federal decennial census. ~~The issuance of this~~  
11 ~~permit also allows the issuance of a purchase-transportation permit under~~  
12 ~~G.S. 18B-403 and G.S. 18B-404.~~ For purposes of this subdivision, the term  
13 "professional sports organization" means an organization that is a member of  
14 an association or league of professional sports organizations that (i) has 6 or  
15 more members, (ii) has total combined revenues from all members that  
16 exceeds ten million dollars (\$10,000,000) per year, and (iii) governs the  
17 conduct of its members and regulates the contests and exhibitions in which its  
18 member organizations regularly engage.

19 ...."

20 **SECTION 3.(q)** G.S. 18B-1002.1(b) reads as rewritten:

21 "(b) Conditions of Permit. – A permit issued under this section is valid only for the auction  
22 specified in the permit. ~~Any sales under this permit are subject to the purchase restrictions in~~  
23 ~~G.S. 18B-303."~~

24 **SECTION 3.(r)** G.S. 18B-1006 reads as rewritten:

25 **"§ 18B-1006. Miscellaneous provisions on permits.**

26 ...

27 (k) Residential Private Club and Sports Club Permits. – The Commission may issue the  
28 permits listed in G.S. 18B-1001, without approval at an election, to a residential private club or  
29 a sports club, except if the sale of mixed beverages is not lawful within a jurisdiction and that  
30 locality has voted against the sale of mixed beverages in a referendum conducted on or after  
31 September 1, 2001. If the issuance of permits is prohibited by the exception in the previous  
32 sentence, the Commission may renew existing permits and may continue to issue permits for a  
33 business location that had previously held permits under this subsection. No permit may be issued  
34 to any residential private club or sports club that practices discrimination on the basis of race,  
35 gender or ethnicity.

36 ~~The mixed beverages purchase-transportation permit authorized by G.S. 18B-404(b) shall be~~  
37 ~~issued by a local board operating a store located in the county.~~

38 ...

39 (p) The Commission shall issue a special occasion permit under G.S. 18B-1001(8) to a  
40 mixed beverage permittee in a sports facility occupied by a major league professional sports team  
41 with suites available for sale or lease to patrons of the facility to authorize patrons to make  
42 available alcoholic beverages in those suites as if the patron were a host of a reception, party or  
43 other special occasion. If the patron occupying the suite so desires, alcoholic beverages by  
44 self-service may be made available to any person at least 21 years of age possessing a valid ticket  
45 to the event authorizing that person to occupy the suite. ~~At no event may the patron make~~  
46 ~~available a quantity of alcoholic beverages in excess of the amount a person is allowed to buy~~  
47 ~~under G.S. 18B-303(a).~~ A mixed beverage permittee who holds a permit shall provide mixed  
48 beverage tax paid spirituous liquor for resale by the container in approved sizes of no larger than  
49 750 milliliters to the host or patron of the suite. This subsection does not authorize any person  
50 possessing a valid ticket to an event at the facility to bring alcoholic beverages onto the premises

1 and consume those alcoholic beverages on the premises, or to remove those beverages from the  
2 suite.

3 ...."

4 **SECTION 3.(s)** G.S. 18B-1007 reads as rewritten:

5 **"§ 18B-1007. Additional requirements for mixed beverages permittees.**

6 (a) Purchases. – A mixed beverages permittee may purchase spirituous liquor for resale  
7 as mixed beverages and a guest room cabinet permittee may purchase spirituous liquor for resale  
8 from a guest room cabinet only at an ABC store designated by a local board and only with a  
9 purchase transportation permit issued by that local board under G.S. 18B-403 and  
10 18B-404.board.

11 ...."

12 **SECTION 3.(t)** G.S. 18B-1115 reads as rewritten:

13 **"§ 18B-1115. Commercial transportation.**

14 (a) ~~Permit Required.~~— Unless a person holds a permit which otherwise allows him to  
15 transport more than 80 liters of malt beverages other than draft malt beverages in kegs, 50 liters  
16 of unfortified wine, or eight liters of fortified wine or spirituous liquor, or is a retailer authorized  
17 to transport alcoholic beverages under G.S. 18B-405, each person transporting alcoholic  
18 beverages in excess of those quantities shall have the permit described in this section.

19 (b) ~~When Transportation Legal.~~— No person may obtain a permit under this section to  
20 transport spirituous liquor unless the transportation is for delivery to a federal reservation over  
21 which North Carolina has ceded jurisdiction to the United States, for delivery to an ABC store,  
22 or for transport through this State to another state.

23 (c) Common Carriers. – Railroad companies and other common carriers having regularly  
24 established schedules of service in this State may transport alcoholic beverages into, out of, and  
25 between points in this State without a permit. Those companies shall keep accurate records of  
26 the character, volume and number of containers transported and shall allow the Commission and  
27 alcohol law-enforcement agents to inspect those records at any time. The Commission may  
28 require common carriers to make reports of shipments.

29 (d) Motor Vehicle Carriers. – Alcoholic beverages may be transported over the public  
30 highways of this State by motor vehicle carriers under the following conditions:

31 (1) The carrier shall notify the Commission of the character of the alcoholic  
32 beverages it will transport and of its authorization from the appropriate  
33 regulatory authority.

34 (2) The carrier shall obtain, at no charge, a fleet permit from the Commission  
35 authorizing the transportation.

36 (3) The driver or person in charge of each vehicle transporting alcoholic  
37 beverages shall possess a copy of the carrier's fleet permit certified by the  
38 carrier to be an exact copy of the original.

39 (4) The driver or person in charge of each vehicle transporting alcoholic  
40 beverages shall possess a bill of lading, invoice or other memorandum of  
41 shipment showing the name and address of the person from whom the  
42 alcoholic beverages were received, the character and contents of the shipment,  
43 the quantity and volume of the shipment, and the name and address of the  
44 person to whom the alcoholic beverages are being shipped.

45 (5) The driver or person in charge of each vehicle transporting the alcoholic  
46 beverages shall display all documents required by this section upon request of  
47 any law-enforcement officer. Failure to produce these documents or failure of  
48 the documents to disclose clearly and accurately the information required by  
49 this section shall be prima facie evidence of a violation of this section.

50 (6) Each carrier shall keep accurate records of character, volume and number of  
51 containers transported and shall allow the Commission and alcohol

- 1 law-enforcement agents to inspect those records at any time. The Commission  
2 may require carriers to make reports of shipments.
- 3 (e) Transportation of Spirituous Liquor. – In addition to the requirements of subsection  
4 (d), motor vehicle carriers engaged in transporting spirituous liquor shall:
- 5 (1) Deposit with the Commission a surety bond for one thousand dollars (\$1,000)  
6 conditioned that the carrier will not unlawfully transport spirituous liquor into  
7 or through this State. The bond, which shall be approved by the Commission,  
8 shall be payable to the State of North Carolina. If the bonded carrier is  
9 convicted of a violation covered by the bond, the proceeds of the forfeited  
10 bond shall be paid to the school fund of the county in which the liquor was  
11 seized.
- 12 (2) Include in its bill of lading, invoice or other memorandum of shipment the  
13 North Carolina code numbers of the spirituous liquor being transported.
- 14 (3) Include in its bill of lading, invoice or other memorandum of shipment the  
15 route which the vehicle will follow, and the vehicle shall not vary substantially  
16 from that stated route.
- 17 (f) Malt Beverages and Wine Transported by Boats. – The owner or operator of any boat  
18 may transport malt beverages, unfortified wine and fortified wine over the waters of this State if  
19 he or she satisfies all requirements of ~~subsection (d)~~, subsection (d) of this section.
- 20 (g) State Warehouse Carrier. – The Commission may exempt a carrier for the State or a  
21 local board warehouse from any of the requirements of this section provided that it determines  
22 that the requirements of this section are otherwise satisfied."  
23

## 24 **TRANSITION PERIOD FOR ABC PERMITTEE OWNERSHIP CHANGES**

25 **SECTION 4.** G.S. 18B-903 reads as rewritten:

### 26 **"§ 18B-903. Duration of permit; renewal and transfer.**

- 27 (a) Duration. – Once issued, ABC permits shall be valid for the following periods, unless  
28 earlier surrendered, suspended or revoked:
- 29 (1) On-premises and off-premises malt beverage, unfortified wine, and fortified  
30 wine permits; culinary permits; and all permits listed in G.S. 18B-1100 shall  
31 remain valid indefinitely;
- 32 (2) Limited special occasion permits shall be valid for 48 hours before and after  
33 the occasion for which the permit was issued;
- 34 (3) Special one-time permits issued under G.S. 18B-1002 shall be valid for the  
35 period stated on the permit;
- 36 (4) Temporary permits issued under G.S. 18B-905 shall be valid for 90 days; and  
37 (5) All other ABC permits shall be valid for one year, from May 1 to April 30.
- 38 (b) Renewal. – Application for renewal of an ABC permit shall be on a form provided by  
39 the Commission. An application for renewal shall be accompanied by an application fee. The  
40 application fee shall be the same amount as the initial fee set in G.S. 18B-902, except that the  
41 renewal application fee for each wine shop permit shall be five hundred dollars (\$500.00), and  
42 the renewal application fee for each mixed beverages permit and each guest room cabinet permit  
43 shall be one thousand dollars (\$1,000). A renewal fee shall not be refundable.
- 44 (b1) Registration. – Each person holding a malt beverage, fortified wine, or unfortified  
45 wine permit issued pursuant to G.S. 18B-902(d)(1) through G.S. 18B-902(d)(6) shall register by  
46 May 1 of each year on a form provided by the Commission, in order to provide information  
47 needed by the State in enforcing this Chapter and to support the costs of that enforcement. The  
48 registration required by this subsection shall be accompanied by an annual registration and  
49 inspection fee of four hundred dollars (\$400.00) for each permit held. The fee shall be paid by  
50 May 1 of each year. A registration fee shall not be refundable. Failure to pay the annual  
51 registration and inspection fee shall result in revocation of the permit.

1 (b2) Recycling Plan Required. – Each person holding an on-premises malt beverage  
2 permit, on-premises unfortified wine permit, on-premises fortified wine permit, or a mixed  
3 beverages permit shall submit, along with the annual registration or renewal application, either a  
4 current plan for the collection and recycling of all recyclable beverage containers of all beverages  
5 sold at retail on the premises, or an application for a waiver pursuant to G.S. 18B-902(h).

6 (c) Change in Ownership. – ~~All permits for an establishment shall automatically expire  
7 and shall be surrendered to the Commission if:~~

8 (1) Subject to the successor transfer period provided in subdivision (2) of this  
9 subsection, all permits for an establishment shall automatically expire and  
10 shall be surrendered to the Commission if:

11 ~~(1)a.~~ Ownership of the establishment changes; or

12 ~~(2)b.~~ There is a change in the membership of the firm, association or  
13 partnership owning the establishment, involving the acquisition of a  
14 twenty-five percent (25%) or greater share in the firm, association or  
15 partnership by someone who did not previously own a twenty-five  
16 percent (25%) or greater share; or

17 ~~(3)c.~~ Twenty-five percent (25%) or more of the stock of the corporate  
18 permittee owning the establishment is acquired by someone who did  
19 not previously own twenty-five percent (25%) or more of the stock.

20 (2) Notwithstanding subsection (e) of this section, any person who through  
21 contract, lease, management agreement, or change of ownership or transfer of  
22 business as provided in subdivision (1) of this subsection becomes lawfully  
23 entitled to use and control of the premises of an establishment that holds  
24 permits immediately prior to such change of ownership may continue to  
25 operate the establishment, as successor to the prior permittee, to the same  
26 extent as the predecessor permittee until the person receives a new permit,  
27 provided that the person submits a new permit application to the Commission  
28 within 60 days after the change of ownership. If the person does not apply for  
29 a new permit within 60 days, all permits for the establishment shall  
30 automatically expire and shall be surrendered to the Commission.

31 (c1) Construction of Change in Ownership. – Nothing in subsection (c) of this section shall  
32 be construed to limit alternating brewery proprietorships in which the holder of a brewery permit  
33 leases or otherwise makes available its facility to another holder of a brewery permit. For  
34 purposes of this section, if authorized by federal law, the host brewery may also hold, at the same  
35 facility, unfortified winery, fortified winery, and distillery permits pursuant to G.S. 18B-1101,  
36 18B-1102, and 18B-1105. In this arrangement, the tenant brewery shall maintain title to the malt  
37 beverages at all states of the brewing process and shall be responsible for all aspects associated  
38 with manufacturing the product, including maintaining appropriate records, obtaining label  
39 approval in its own name, and remitting the appropriate taxes. Alternating brewery  
40 proprietorships are authorized between affiliated breweries, but shall not be used as a means to  
41 allocate production quantities between affiliated breweries to obtain a malt beverage wholesaler  
42 permit pursuant to G.S. 18B-1104(a)(8) where either brewery would not otherwise qualify for a  
43 permit, and the Commission shall have no authority to grant an exemption to this requirement  
44 pursuant to G.S. 18B-1116(b).

45 (d) Change in Management. – A corporation holding a permit for an establishment for  
46 which the manager is required to qualify as an applicant under G.S. 18B-900(c) shall, within 30  
47 days after employing a new manager, submit to the Commission an application for substitution  
48 of a manager. The application shall be signed by the new manager, shall be on a form provided  
49 by the Commission, and shall be accompanied by a fee of ten dollars (\$10.00). The fee shall not  
50 be refundable.

1 (e) Transfer. – ~~An~~ Except as provided in subdivision (2) of subsection (c) of this section,  
2 an ABC permit may not be transferred from one person to another or from one location to another.

3 (f) Lost Permits. – The Commission may issue duplicate ABC permits for an  
4 establishment when the existing valid permits have been lost or damaged. The request for  
5 duplicate permits shall be on a form provided by the Commission, certified by the permittee and  
6 the Alcohol Law Enforcement Division, and accompanied by a fee of ten dollars (\$10.00).

7 (g) Name Change. – The Commission may issue new permits to a permittee upon  
8 application and payment of a fee of ten dollars (\$10.00) for each location when the permittee's  
9 name or name of the business is changed."

## 10 11 **ALLOW ALCOHOL SALES AT PROFESSIONAL SPORTING EVENTS OCCURRING** 12 **ON CERTAIN COMMUNITY COLLEGE CAMPUSES**

13 **SECTION 5.** G.S. 18B-1006(a) is amended by adding a new subdivision to read:

14 "(11) Notwithstanding subdivision (10) of this subsection, the sale of malt  
15 beverages, unfortified wine, fortified wine, or mixed beverages for  
16 consumption on the premises at a professional sporting event held at a stadium  
17 owned by a community college that is located in a township that has  
18 previously voted to allow the operation of ABC stores, if the Board of Trustees  
19 of the community college has voted to allow the issuance of permits for use at  
20 the stadium. If a Board of Trustees votes to allow the issuance of permits in  
21 accordance with this subdivision, the Board of Trustees shall provide written  
22 notice to the Commission that it has voted to allow the issuance of permits.  
23 Any permit described in G.S. 18B-1001, 18B-1002(a)(2), or 18B-1002(a)(5)  
24 may be issued pursuant to this subdivision to applicants meeting the  
25 requirements for the requested permit. For purposes of this subdivision, the  
26 premises of a stadium shall include any area that meets all of the following  
27 requirements:

- 28 a. Is within 500 feet of the furthest exterior building wall, perimeter  
29 fence, or permanent fixed perimeter.  
30 b. Is designated by the stadium in a map or written description that  
31 clearly defines the boundary of the area, and that map or written  
32 description is included in the permit application.  
33 c. Can be designated in a manner that enables the stadium to ensure  
34 compliance with the provisions of this Chapter."  
35

## 36 **AMEND PRIVATE BAR DEFINITION**

37 **SECTION 6.** G.S. 18B-1000(4e) reads as rewritten:

38 "(4e) Private bar. – ~~An establishment that is organized and operated as a for-profit~~  
39 ~~entity and that is not open to the general public but is open only to the members~~  
40 ~~of the organization and their bona fide guests for the purpose of allowing its~~  
41 ~~members and their guests to socialize and engage in recreation that is~~  
42 primarily engaged in the business of selling alcoholic beverages and that does  
43 not serve prepared food as defined in G.S. 105-164.3(179). A private bar shall  
44 not include a brewery, winery, or distillery."  
45

## 46 **ALLOW DISTILLERIES TO OBTAIN MIXED BEVERAGES CATERING PERMITS**

47 **SECTION 7.** G.S. 18B-1001(12) reads as rewritten:

48 "(12) Mixed Beverages Catering Permit. – A mixed beverages catering permit may  
49 be issued to a hotel, restaurant, or distillery. A mixed beverages catering  
50 permit issued to a hotel or restaurant authorizes a the hotel or a restaurant that  
51 has a mixed beverages permit to bring spirituous liquor onto the premises



1 where the hotel or restaurant is catering food for an event and to serve the  
2 liquor to guests at the event. A mixed beverages catering permit issued to a  
3 distillery allows the distillery to bring spirituous liquor onto the premises  
4 where a hotel or restaurant is catering food for an event and serve the liquor  
5 to guests at the event, regardless of whether the hotel or restaurant also holds  
6 a mixed beverages catering permit."  
7

8 **ALLOW DISTILLERIES TO SERVE MIXED BEVERAGES CONTAINING THE**  
9 **DISTILLERY'S PRODUCT REGARDLESS OF THE RESULTS OF A LOCAL MIXED**  
10 **BEVERAGE ELECTION**

11 **SECTION 8.** G.S. 18B-1105(a) is amended by adding a new subdivision to read:

12 "(4c) In an area where the sale of mixed beverages has not been approved by a local  
13 election, sell mixed beverages containing only spirituous liquor produced at  
14 the distillery for consumption on the premises upon obtaining a mixed  
15 beverages permit under G.S. 18B-1001."  
16

17 **EFFECTIVE DATE**

18 **SECTION 9.** Except as otherwise provided, this act is effective when it becomes  
19 law.