



# HOUSE BILL 95: Tribal Alcoholic Beverage Control

2015-2016 General Assembly

<b>Committee:</b>	House Alcoholic Beverage Control, if favorable, Finance	<b>Date:</b>	April 1, 2015
<b>Introduced by:</b>	Reps. West, Hager	<b>Prepared by:</b>	Susan Sitze
<b>Analysis of:</b>	PCS to First Edition H95-CSSA-19		Committee Counsel

**SUMMARY:** *The Proposed Committee Substitute (PCS) for House Bill 95 would authorize the Eastern Band of Cherokee Indians tribal alcoholic beverage control commission to issue wine shipper permits and commercial ABC permits and would clarify that the Eastern Band of Cherokee Indians tribal alcoholic beverage control commission maintains exclusive authority to issue certain permits.*

**BILL ANALYSIS:**

**Section 1** of the PCS would authorize the tribal alcoholic beverage control commission to issue wine shipper permits and also to issue commercial activity permits for commercial businesses that are located wholly on Indian Country lands and would grant them sole enforcement authority for those permittees to the extent the regulated conduct occurs on Indian Country lands. Both the Eastern Band of Cherokee Indians and the North Carolina Alcoholic Beverage Control Commission would be required to equally recognize any permit issued by the other entity.

**Section 2** of the PCS would authorize the issuance of "Tourism ABC Establishment" permits for restaurants and hotels that meet that definition between Mileposts 460 and 469 of the Blue Ridge Parkway. The Eastern Band of Cherokee Indians tribal alcoholic beverage commission is given exclusive authority to issue "Tourism ABC Establishment" permits to those restaurants and hotels that are located wholly on Indian Country lands.

**EFFECTIVE DATE:** This act is effective when it becomes law.

**BACKGROUND:**

**§ 18B-1100. Commercial permits.**

The Commission may issue the following commercial permits:

- (1) Unfortified winery
- (2) Fortified winery
- (3) Limited winery
- (4) Brewery
- (5) Distillery
- (6) Fuel alcohol
- (7) Wine importer
- (8) Wine wholesaler
- (9) Malt beverages importer
- (10) Malt beverages wholesaler
- (11) Bottler
- (12) Salesman
- (13) Vendor representative



# House Bill 95

*Page 2*

- (14) Nonresident malt beverage vendor
- (15) Nonresident wine vendor
- (16) Winery special show
- (17) Liquor importer/bottler permit
- (18) Cider and vinegar manufacturer
- (19) Wine producer permit
- (20) Malt beverage special event permit.