



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 73: Temporarily Waive ABC Permit Renewal Fees.

2021-2022 General Assembly

Committee:	House Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 4, 2021
Introduced by:	Reps. Moffitt, Lambeth, Goodwin, Winslow	Prepared by:	Chris Saunders
Analysis of:	PCS to First Edition H73-CSTQf-3		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) to House Bill 73 would (i) require the ABC Commission to renew or register certain ABC permits that are active as of April 30, 2021 for the period of May 1, 2021 through April 30, 2022 without payment; (ii) allow someone who has prepaid those fees to get a refund; and (iii) waive the requirement to pay or repay deferred ABC permit fees for the 2020-21 permit year for permittees who were subject to an order of closure pursuant to Executive Order No. 141.*

The PCS adds Sections 3 and 4, which waive payment or repayment of deferred ABC permit fees for permittees who were subject to an order of closure pursuant to Executive Order No. 141.

BACKGROUND: The General Assembly recently ratified House Bill 4, which clarified that certain ABC permittees who were subject to an order of closure in the Governor's Executive Order 141 would not have to pay any permit fees until 90 days after the Governor signed an executive order rescinding limitations on those permittees' operation, could seek refunds for any fees already paid, and would retain active permits without payment of the fee.

CURRENT LAW: Generally, ABC permits are valid after the payment of an annual renewal or registration fee for one year from the period of May 1 to April 30. (G.S. 18B-903)

BILL ANALYSIS: Sections 1 and 2 of the PCS to House Bill 73 would require the ABC Commission to renew or register without payment certain ABC permits that are active as of April 30, 2021 for the period of May 1, 2021 through April 30, 2022 and would also allow anyone who has already paid a fee for a listed permit to request a refund from the ABC Commission. House Bill 73 would apply to the following ABC permits:

- On-premises malt beverage permit
- On-premises unfortified wine permit
- On-premises fortified wine permit
- Mixed beverages permit
- Culinary permit
- Mixed beverages catering permit
- Guest room cabinet permit
- Wine tasting permit
- Wine shop permit

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House PCS 73

Page 2

- Malt beverage tasting permit
- Spirituous liquor tasting permit
- Antique spirituous liquor permit
- Common area entertainment permit

Sections 3 and 4 of the PCS would provide that a permittee who is entitled to an ABC permit fee deferment or refund of an ABC permit fee already paid for the 2020-21 permit year pursuant to House Bill 4 is not required to pay or repay the permit fee.

EFFECTIVE DATE: This act would be effective when it becomes law.

Susan Sitze and Rob Ryan, counsel to the House Alcoholic Beverage Control Committee, substantially contributed to this summary.