



# HOUSE BILL 73: Temporarily Waive ABC Permit Renewal Fees.

2021-2022 General Assembly

---

<b>Committee:</b>		<b>Date:</b>	February 8, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Chris Saunders Staff Attorney
<b>Analysis of:</b>	S.L. 2021-105		

---

**OVERVIEW:** *S.L. 2021-105 (i) defers the payment of renewal and registration fees for certain ABC permits that are active as of April 30, 2021 for the period of May 1, 2021 through April 30, 2022, until October 1, 2021; (ii) allows a permittee who has prepaid those fees to request a refund, which must be repaid by October 1, 2021, or within 10 business days thereafter; and (iii) delays 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 until October 1, 2021. This act also directs the ABC Commission not to cancel or move to inactive status for nonpayment any permit for which payment is not deferred until April 30, 2022.*

*This act became effective August 16, 2021.*

**BACKGROUND:** On February 25, 2021, the Governor signed House Bill 4 (S.L. 2020-2), 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.

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 S.L. 2021-105 defer the payment of certain ABC permits that are active as of April 30, 2021 for the period of May 1, 2021, through April 30, 2022, until October 1, 2021. The applicable ABC permits are:

- 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

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578

# House Bill 73

Page 2

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

**Sections 3 and 4** 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 until October 1, 2021, or within 10 business days thereafter.

**Section 5** directs the ABC Commission not to cancel or move to inactive status for nonpayment any permit for which payment is not deferred by Section 1 of this act until April 30, 2022.

**EFFECTIVE DATE:** This act became effective August 16, 2021.