



2023-2024 General Assembly

SENATE BILL 527: ABC Omnibus 2023-24, Sec. 6: Allow Mixed Beverage Permittees to Purchase Spirituous Liquor from Any Designated ABC Store in the Same County and Modify Eligibility for Small Towns to Hold Alcohol Elections

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| Committee: | Date: | August 26, 2024 |
| Introduced by: | Prepared by: | Chris Saunders |
| Analysis of: | Sec. 6 of S.L. 2024-41 | Staff Attorney |

OVERVIEW: Section 6 of S.L. 2024-41 does all of the following:

- *Allows a mixed beverage permittee to purchase spirituous liquor from any ABC board operating in the same county as the permittee. The purchase still must be made at an ABC store the board has designated to serve mixed beverages permittees.*
- *Allows a city to hold a malt beverage or unfortified wine election if it has a population of at least 400 according to the most recent census.*
- *Allows a city to hold a mixed beverage election if it has at least 200 registered voters.*

This section is retroactively effective November 1, 2022, and applies to elections conducted on or after that date.

PRIOR LAW: Under current law prior to the enactment of this section:

- A local board can designate a store within its system to make sales to mixed beverage permittees, and mixed beverage permittees must buy spirituous liquor for use in mixed beverages at the designated store.
- A city can hold a malt beverage or unfortified wine election if the county in which the city is located has already held such an election, the vote in the last county election was against the sale of that kind of alcoholic beverage, and the city meets any of the following criteria:
 - Has a population of at least 500 according to the most recent census.
 - Operates an ABC store.
 - Has a population between 400 and 500 according to the most recent census but had a population of 500 according to the prior census.
- A city can hold a mixed beverage election if it meets any of the following criteria:
 - Has at least 500 registered voters.
 - Has at least 300 registered voters and is located in a county with at least one other city that has approved the sale of mixed beverages.

Kara McCraw
Director



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- Has at least 200 registered voters, is located in a county bordering the Neuse River and Pamlico Sound that has not approved the sale of mixed beverages, and that county has only one city that has approved the sale of mixed beverages.
- Has at least 200 registered voters, has a total area of less than 1 square mile, operates an ABC store, and is located in a county that has at least three cities that have approved the sale of mixed beverages.

BILL ANALYSIS: Section 6 of S.L. 2024-41 does all of the following:

- Allows a mixed beverage permittee to purchase spirituous liquor from any ABC board operating in the same county as the permittee. The purchase still must be made at an ABC store the board has designated to serve mixed beverages permittees.
- Allows a city to hold a malt beverage or unfortified wine election if it has a population of at least 400 according to the most recent census.
- Allows a city to hold a mixed beverage election if it has at least 200 registered voters.

EFFECTIVE DATE: This section is retroactively effective November 1, 2022, and applies to elections conducted on or after that date.