

April 21, 2005

H 1429. ELIMINATE WINE SHIPPER PERMIT FEE. TO PROVIDE FOR RECIPROCITY BY ELIMINATING THE APPLICATION FEE FOR A WINE SHIPPER PERMIT. Amends GS 18B-902(d) as title indicates. Applies to wine shipper permit applications submitted on or after date act becomes law.

Intro. by Harrell, Gibson.

Ref. to Finance

GS 18B

May 18, 2005

H 1429. WINE SHIPPER FEE/WINE PRIMARY SOURCE (NEW). Intro. 4/21/05. House committee substitute makes the following changes to 1st edition. Amends GS 18B-1106 to provide that the holder of a wine importer permit may import and sell to wholesalers only wine for which it is the primary American source of supply, as recognized by the NC Alcoholic Beverage Control Comm'n. Amends GS 18B-1107 to provide that the holder of a wine wholesaler permit may receive and transport only shipments of wine received from the primary American source of supply for that wine or a licensed NC wholesaler that received the wine from a primary source and with which the wholesaler has a subcontract. Amends GS 18B-1114 to provide that the holder of a nonresident wine vendor permit may sell or ship into NC only wine for which it is the primary American source of supply. Amends definition of "winery" in GS 18B-1201(4) to include a holder of a wine importer permit. Makes conforming changes to GS 18B-203(a).

June 22, 2005

H 1429. WINE SHIPPER FEE/WINE PRIMARY SOURCE. Intro. 4/21/05. House committee substitute makes the following changes to 2nd edition. Modifies proposed GS 18B-203(a)(19) to delete provision defining the primary American source of supply for wine as the source closest to the manufacturer in the channel of commerce from whom the product can be secured by American wholesalers and to instead provide that to be considered a primary American source of supply, a wine importer must establish that it has lawfully purchased the wine from the winery or from the winery's agent and that it has been authorized by the winery to distribute the wine to wholesalers in the US. Adds identical requirement to proposed GS 18B-1106(c) and to GS 18B-1114. Modifies proposed GS 18B-1107(a)(1)a. to state that the primary American source of supply may be verified by the wholesaler in addition to the NC Alcoholic Beverage Comm'n. Enacts new GS 18B-1107(a)(1) c. and d. to authorize holders of wine wholesaler permits to receive and transport wine received from another wine wholesaler: (1) from whom the wholesaler is purchasing a business or the brand or distribution rights for the wine being received; or (2) who also has distribution rights for the wine being received and from whom the wholesaler is acquiring the wine to address a temporary inventory shortage.

Current GS 18B-1116 prohibits manufacturers and wholesalers of alcoholic beverages from giving alcoholic beverage retailers things of value. Committee substitute enacts new GS 18B-1116(c) to provide that the dividing or removing of individual containers of alcohol from a larger package and the delivery of those containers to the retail permittee is not considered "things of value" under that section. Recodifies Article 62 of GS Chapter 106 as Part 2H of Article 10 of GS Chapter 143 and amends article to transfer the NC Grape Growers Council to the Dep't of Commerce. Makes technical and conforming changes.

June 28, 2005

H 1429. WINE SHIPPER FEE/WINE PRIMARY SOURCE. Intro. 4/21/05. House amendment makes the following changes to 3rd edition. Modifies proposed GS 18B-203(a)(19) to authorize the NC Alcoholic Beverage Control Comm'n to also recognize a holder of a nonresident wine vendor permit as a primary American source of supply for the wine of a winery.

August 10, 2005

H 1429. WINE SHIPPER FEE. Intro. 4/21/05. Senate committee substitute adopted 8/9/05 makes the following changes to 4th edition. Deletes amendments to GS 18B-203(a), GS 18B-1106, GS

18B-1107, and GS 18B-1114 that would have required the designation of a primary source for the importation of wine into the state. Conforms title.

September 9, 2005

SL 2005-380 (H 1429). WINE SHIPPER FEE. AN ACT TO PROVIDE FOR RECIPROCITY BY ELIMINATING THE APPLICATION FEE FOR A WINE SHIPPER PERMIT, TO CLARIFY THE LAW CONCERNING SPLIT-CASE FEES, AND TO TRANSFER THE NORTH CAROLINA GRAPE GROWERS COUNCIL TO THE DEPARTMENT OF COMMERCE. Summarized in *Daily Bulletin* 4/21/05, 5/18/05, 6/22/05, 6/28/05, and 8/10/05. Enacted September 8, 2005. Effective September 8, 2005, Sections 1 and 2 apply to wine shipper permit applications submitted on or after that date.