

March 15, 2007

S 838. ABC LAW CHANGES. Filed 3/15/07. *TO INCREASE THE FINES FOR PENALTIES AND OFFERS IN COMPROMISE FOR ALCOHOLIC BEVERAGE CONTROL LAW VIOLATIONS, TO REQUIRE AGENTS OF THE DIVISION OF ALCOHOL LAW ENFORCEMENT TO SERVE AND EXECUTE ALCOHOLIC BEVERAGE CONTROL AND NORTH CAROLINA STATE LOTTERY COMMISSION ORDERS, NOTICES, AND DEMANDS, TO CHANGE ABC PERMIT REGISTRATION AND INSPECTION FEE REVOCATIONS TO SUSPENSIONS, TO ALLOW LOCAL GOVERNMENTS AND NONPROFIT ORGANIZATIONS TO HAVE SPECIAL ONE-TIME PERMITS TO SELL AND SERVE MALT BEVERAGES, WINES, MIXED BEVERAGES, AND SPIRITUOUS LIQUORS AT FUND-RAISERS, TO MAKE TECHNICAL CORRECTIONS TO COMMERCIAL PERMITS, AND TO ALLOW WINEMAKING ON PREMISES PERMITS AT UNFORTIFIED WINERIES AS RECOMMENDED BY THE ALCOHOLIC BEVERAGE COMMISSION.*

Amends GS 18B-104 effective December 1, 2007, to increase fines for the first violation of ABC laws from \$500 to \$1,000, for the second violation from \$750 to \$1,500 and for the third violation from \$1,000 to \$2,000. Also allows compromises to be entered into for penalties up to \$25,000 (was, \$5,000). Amends GS 18B-500 to require (was, allow) alcohol law-enforcement agents to serve notices for the surrender of permits or relating to administrative proceedings. Amends GS 18B-900 to make being a US citizen a requirement for holding an ABC permit. Amends GS 18B-903 to suspend permits until the registration fee is received if the annual registration and inspection fee are not paid (was, permit is revoked if the registration and inspection fee are not paid). Amends GS 18B-1002 to allow the issuance of one-time permits to local governments and non-profits to sell and serve (was, serve) alcoholic beverages including mixed beverages. Amends GS 18B-1101 to allow the holder of an unfortified winery permit to make wine on the premises. Makes technical changes.

Intro. by Bingham.

GS 18B

July 11, 2007

S 838. ABC LAW CHANGES. Filed 3/15/07. Senate committee substitute makes the following changes to 1st edition. Amends GS 18B-603(d)(3) to allow the Alcoholic Beverage Control Commission to issue off-premises malt beverage permits and unfortified wine permits to establishments in incorporated municipalities that have voted to permit the sale of mixed beverages, regardless of any other local act. Effective October 1, 2007, amends GS 18B-902(d) to increase the application fee for a winemaking on premises permit from \$400 to \$450. Deletes the proposed changes to: (1) GS 18B-104, that increased fines and penalties; (2) GS 18B-500(d), that required alcohol law-enforcement agents to serve and execute notices, orders, or demands issued by the Commission or the NC State Lottery Commission for the surrender of permits or related to any administrative proceeding; and (3) GS 18B-1002(5), that allowed the issuance of one-time permits to local governments and non-profits to sell and serve alcoholic beverages. Changes the effective date for changes to GS 18B-900(a) from when the act became law, to October 1, 2007. Makes a conforming title change.