

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 667
PROPOSED COMMITTEE SUBSTITUTE H667-PCS80398-RV-25

Short Title: 2009 Viticulture/Enology Act.

(Public)

Sponsors:

Referred to:

March 19, 2009

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR
2 ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR
3 THE MANUFACTURE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC
4 BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL,
5 PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL
6 RESEARCH, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN
7 OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE
8 AT THEIR PREMISES DURING BUSINESS HOURS, AND TO ALLOW WINERIES
9 TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER
10 SPECIFIED CONDITIONS.
11

12 The General Assembly of North Carolina enacts:

13 **SECTION 1.** G.S. 18B-1001(4) reads as rewritten:

14 "(4) Off-Premises Unfortified Wine Permit. – An off-premises unfortified wine
15 permit authorizes the retail sale of unfortified wine in the manufacturer's
16 original container for consumption off the premises and it authorizes the
17 holder of the permit to ship unfortified wine in closed containers to
18 individual purchasers inside and outside the State. The permit may be issued
19 for retail businesses. The permit may also be issued for a winery or a wine
20 producer for sale of its own unfortified wine. ~~wine.~~ wine during hours when the
21 winery or wine producer's premises is open to the public, subject to any local
22 ordinance adopted pursuant to G.S. 18B-1004(d) concerning hours for the
23 retail sale of unfortified wine. A winery obtaining a permit under this
24 subdivision is authorized to sell wine manufactured by the winery at one
25 additional location in the county under the same conditions specified in
26 G.S. 18B-1101(5) for the sale of wine at the winery; provided, however, that
27 no other alcohol sales shall be authorized at the additional location. Orders
28 received by a winery by telephone, Internet, mail, facsimile, or other
29 off-premises means of communication shall be shipped pursuant to a wine
30 shipper permit and not pursuant to this subdivision."

31 **SECTION 2.** G.S. 18B-103 is amended by adding a new subdivision to read:

32 "(5a) The manufacture, possession, and consumption of alcoholic beverages for
33 the purpose of conducting scientific, chemical, pharmaceutical, mechanical,
34 industrial, and educational research in connection with teaching, research, or



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1 extension programs conducted by, or under the supervision of, an instructor
2 at an accredited community college, public or private college or university,
3 or an extension agent in connection with educational programs and activities
4 offered by the North Carolina Cooperative Extension Service."

5 **SECTION 3.** This act is effective when it becomes law.