

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE PRINCIPAL CLERK

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HOUSE DRH30367-ML-170 (03/28)

Short Title: Sale of Growlers by Certain ABC Permittees. (Public)

Sponsors: Representatives McGrady, Bryan, Moffitt, and L. Hall (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW CERTAIN ABC PERMITTEES TO SELL MALT BEVERAGES IN
3 CERTAIN CONTAINERS FOR CONSUMPTION OFF THE PERMITTED PREMISES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 18B-1001 reads as rewritten:

6 "§ 18B-1001. Kinds of ABC permits; places eligible.

7 When the issuance of the permit is lawful in the jurisdiction in which the premises are
8 located, the Commission may issue the following kinds of permits:

- 9 (1) On-Premises Malt Beverage Permit. – An on-premises malt beverage permit
10 authorizes (i) the retail sale of malt beverages for consumption on the
11 premises and premises, (ii) the retail sale of malt beverages in the
12 manufacturer's original container for consumption off the premises, premises,
13 and (iii) the retail sale of malt beverages in a sanitized, resealable container
14 that can hold up to 64 ounces of malt beverages and is filled and sealed for
15 consumption off the premises. It also authorizes the holder of the permit to
16 ship malt beverages in closed containers to individual purchasers inside and
17 outside the State. The permit may be issued for any of the following:
18 a. Restaurants;
19 b. Hotels;
20 c. Eating establishments;
21 d. Food businesses;
22 e. Retail businesses;
23 f. Private clubs;
24 g. Convention centers;
25 h. Community theatres;
26 i. Breweries as authorized by G.S. 18B-1104(7).

- 27 (2) Off-Premises Malt Beverage Permit. – An off-premises malt beverage
28 permit authorizes (i) the retail sale of malt beverages in the manufacturer's
29 original container for consumption off the premises and it
30 authorizes premises, (ii) the retail sale of malt beverages in a sanitized,
31 resealable container that can hold up to 64 ounces of malt beverages and is
32 filled and sealed for consumption off the premises, and (iii) the holder of the
33 permit to ship malt beverages in closed containers to individual purchasers
34 inside and outside the State. The permit may be issued for any of the
35 following:

- 36 a. Restaurants;



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- b. Hotels;
- c. Eating establishments;
- d. Food businesses;
- e. Retail businesses.

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(16)

Wine Shop Permit. – A wine shop permit authorizes (i) the retail sale of malt beverages, unfortified wine, and fortified wine in the manufacturer's original container for consumption off the ~~premises, and authorizes~~ premises, (ii) the retail sale of malt beverages in a sanitized, resealable container that can hold up to 64 ounces of malt beverages and is filled and sealed for consumption off the premises, and (iii) wine tastings on the premises conducted and supervised by the permittee in accordance with subdivision (15) of this section. It also authorizes the holder of the permit to ship malt beverages, unfortified wine, and fortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for retail businesses whose primary purpose is selling malt beverages and wine for consumption off the premises and regularly and customarily educating consumers through tastings, classes, and seminars about the selection, serving, and storing of wine. The holder of the permit is authorized to sell unfortified wine for consumption on the premises, provided that the sale of wine for consumption on the premises does not exceed forty percent (40%) of the establishment's total sales for any 30-day period. The holder of a wine-tasting permit not engaged in the preparation or sale of food on the premises is not subject to Part 6 of Article 8 of Chapter 130A of the General Statutes.

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SECTION 2. This act is effective when it becomes law.