A BILL TO BE ENTITLED
AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE
ALCOHOLIC BEVERAGE CONTROL LAWS IN THIS STATE.
The General Assembly of North Carolina enacts:

SECTION 1. Study. – The Legislative Research Commission (LRC) shall study revising the laws set forth in Chapter 18B of the General Statutes governing the manufacturing, sale, possession, and consumption of alcoholic beverages in this State. The study required under this section shall include all of the following:

(1) A comparative analysis on how the federal government and other states regulate the manufacturing, sale, possession, and consumption of alcoholic beverages, including how the federal government and other states regulate the labeling of alcoholic beverages, the distribution of alcoholic beverages, and the assortment of alcoholic beverages that may be manufactured, sold, possessed, or consumed.

(2) A comparative analysis on how other states (i) regulate the sale of spirituous liquor, (ii) define and regulate alcohol consumables, (iii) define and issue permits for the manufacturing or sale of alcoholic beverages, and (iv) define and regulate periods of the day in which alcoholic beverages may be sold for on-premises consumption at a reduced price.

(3) All of the following:

a. The advisability and necessity of expanding and clarifying the definition set forth in G.S. 18B-101 for the term "premises."

b. How to modify the process used for determining which spirituous liquor products may be sold in ABC stores to allow for more selection.

c. How the process for issuing permits pursuant to Chapter 18B of the General Statutes can be streamlined.

d. The feasibility and advisability of allowing malt beverages and wine wholesalers to offer the same payment terms the wholesalers receive from the manufacturing tier.

e. The feasibility and advisability of allowing mixed beverages permittees the option of purchasing spirituous liquor directly from an in-State distillery if the local ABC board refuses to purchase spirituous liquor from the distillery.

f. The feasibility and advisability of expanding the usage of signage and other advertising by permittees to promote the sale of alcoholic beverages.
g. The advisability and necessity of allowing malt beverages wholesalers
to exchange a seasonal malt beverage product for another seasonal
malt beverage product when the first seasonal product is about to go
out of date.

h. The advisability and necessity of amending the law requiring
wholesalers to serve permittees without discrimination to (i) expand it
to prohibit age, race, gender, national origin, and economic
discrimination and (ii) allow a permittee within a franchise territory to
purchase product outside the franchise territory if the wholesaler
refuses to sell to the permittee.

i. The feasibility of setting the amount of fines assessed by the
Commission for violations of the ABC laws, as defined in
G.S. 18B-101, based either on the value of alcohol sales made by the
offending permittee or on the volume of alcohol sold by the offending
permittee. The study required under this sub-subdivision shall include
an examination of the opportunities and challenges arising from the
implementation of either approach, the resources needed for
implementing either approach, any ramifications either approach
would have on the proportionality of penalties assessed on offending
permittees, and any legislative changes necessary to implement either
approach.

j. Any other matters the LRC deems relevant to its efforts.

SECTION 2. Report. – The LRC shall report its findings, together with any proposed
legislation, to the 2022 Regular Session of the 2021 General Assembly upon its convening.

SECTION 3. Effective Date. – This act is effective when it becomes law.