

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 598
SENATE BILL 254

1 AN ACT TO AMEND CHAPTER 18 OF THE GENERAL STATUTES OF NORTH
2 CAROLINA TO REMOVE THE LIMITATION ON PURCHASE AND
3 TRANSPORTATION OF FORTIFIED WINE.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** The Fortified Wine Control Act of 1941, being Article 5 of Chapter 18
8 of the General Statutes, is hereby amended as follows:

9 G.S. 18-97 is hereby amended by deleting the entire second sentence thereof reading
10 as follows: "It shall be unlawful for any person to purchase on order and receive by mail or
11 express from any such alcoholic beverage control store fortified wines in quantities in excess of
12 one gallon at any one time."

13 **Sec. 2.** The Alcoholic Beverage Control Act of 1937, being Article 3 of Chapter 18
14 of the General Statutes, is hereby amended as follows:

15 G.S. 18-49, as the same appears in the 1967 Supplement to Volume 1C of the
16 General Statutes, is hereby amended by adding a new sentence at the end thereof, as follows:

17 "The provisions of this Section limiting the authorized transportation of alcoholic beverages
18 to one gallon shall apply also to fortified wine as defined in G.S. 18-96, provided that whenever
19 any person desires to purchase or transport more than one gallon but not exceeding five gallons
20 of fortified wine at one time, such person shall first obtain a purchase-transportation permit
21 from the Chairman of the local Board, a Member of the local Board, or the General Manager or
22 Supervisor of the local Board of Alcoholic Control. No permit shall be issued by any
23 authorized person to: (1) persons not of good character, (2) persons not sufficiently identified,
24 if unknown to the issuing person, (3) persons known or shown to be alcoholics or bootleggers.
25 The permit shall be signed by the person authorized to issue same and it shall authorize the
26 purchaser named therein to purchase and transport the quantity of fortified wine therein
27 indicated not to exceed five gallons. The permit shall be issued by means of a printed form with
28 at least two carbon copies of the same and on the face of the permit shall appear the following
29 information:

- 30 1. Name and address of purchaser.
- 31 2. The name and location of the place where purchase is to be made.
- 32 3. Date issued and expiration date.
- 33 4. Destination.
- 34 5. Signature of person issuing the permit.
- 35 6. A state that the permit is valid only for one purchase on the date shown and
36 that the permit must accompany the merchandise while in transit and both
37 the merchandise and the permit must be exhibited by purchaser to any law
38 enforcement officer upon request.

39 "The permit herein authorized shall be valid only for one purchase and it shall expire at six
40 o'clock P.M. of the date shown thereon. No purchase shall be made from any Store except the
41 store named on the permit. One copy of the permit shall be retained by the Board issuing the
42 same, one copy shall be delivered to the store from which the merchandise is purchased and
43 one copy shall be retained by the permittee. The permit shall authorize the permittee to

transport fortified wine from the place of purchase to the destination indicated thereon and the permit must accompany the merchandise while in transit and both the merchandise and permit must be exhibited to any law enforcement officer upon request.

"The chairman or any member of a local county or municipal board. General Manager or Supervisor of Alcoholic Control Board is authorized to issue purchase transportation permits.

"Permits to be used shall be in the form substantially as follows:

ALCOHOLIC BEVERAGE CONTROL BOARD

_____ COUNTY

_____, NORTH CAROLINA

Date_____, 19__

PURCHASE-TRANSPORTATION PERMIT

(not to exceed five gallons)

NAME OF PURCHASER_____

ADDRESS_____

NAME OF STORE_____ ADDRESS (of store)_____

DESTINATION_____

ROUTE TO BE USED_____

SIGNED_____

(Person authorized to issue)

Board Member

Note: This permit is valid only for one purchase and it shall expire at six o'clock p.m. of the date shown above. Special Note: This permit must accompany the merchandise while in transit. Both the merchandise and permit must be exhibited to any law enforcement officer upon request."

Sec. 3. Any person violating the provisions of this Article shall be guilty of a misdemeanor and shall be punished by a fine or imprisonment or both in the discretion of the Court.

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 27th day of May, 1969.