

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 854
SENATE BILL 319

AN ACT TO AUTHORIZE THE STATE BOARD OF ALCOHOLIC CONTROL TO ISSUE
SPECIAL PERMITS FOR THE SALE OF INTOXICATING LIQUORS BY CERTAIN
PERSONS NOT HOLDING WHOLESALE OR RETAIL PERMITS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 18A of the General Statutes is amended by adding a new G.S. 18A-42.1 to read as follows:

"§ 18A-42.1. Special permit; inheritance; bankruptcy; confiscation; individuals and governmental agencies. — Whenever any person not in possession of a permit for the sale of malt beverages or wine (fortified or unfortified), whether wholesale or retail, or any governmental agency, State or federal, shall legally come into possession and ownership of any quantity of tax paid intoxicating liquor, said person or agency may apply to the State Board of Alcoholic Control for a special permit authorizing the sale, or disposition otherwise, of said intoxicating liquor at a time and place, and pursuant to procedures, designated by the State Board; and the State Board shall have the authority to issue such permits.

By way of illustration, but not limitation, the State Board may issue permits for the disposition of intoxicating liquors by persons or governmental agencies gaining possession and ownership of same through inheritance, bankruptcy, confiscation and liens for nonpayment of taxes."

Sec. 2. G.S. 18A-21 is amended by deleting the last sentence of subsection (a) and by substituting in lieu thereof the following:

"Any malt beverages seized for being transported or possessed illegally shall be destroyed. Any wine (fortified or unfortified) seized for being transported or possessed illegally shall be destroyed or sold pursuant to the provisions of G.S. 18A-42.1. In the event that any wine (fortified or unfortified) is sold by law enforcement officers pursuant to the provisions of G.S. 18A-42.1, any proceeds derived from such sales shall be paid over to the treasurer or the proper officer in the county who receives fines and forfeitures, to be used for the school fund of the county."

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.