

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-327
SENATE BILL 974**

AN ACT TO AUTHORIZE THE SALE OF BEER AND WINE AT CERTAIN UNIVERSITY FACILITIES AND CERTAIN COUNTY FACILITIES, AND AUTHORIZE ALCOHOLIC BEVERAGES TO BE MADE AVAILABLE BY SELF-SERVICE IN SUITES OF MAJOR LEAGUE SPORTS FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1006(a) reads as rewritten:

"(a) School and College Campuses. – No permit for the sale of malt beverages, unfortified wine, or fortified wine shall be issued to a business on the campus or property of a public school or college, other than at a regional facility as defined by G.S. 160A-480.2 operated by a facility authority under Part 4 of Article 20 of Chapter 160A of the General Statutes except for a public school or college function, unless that business is a hotel or a nonprofit alumni organization with a mixed beverages permit or a special occasion permit. ~~Provided, however, this~~ This subsection shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board. This subsection shall also not apply to the constituent institutions of The University of North Carolina with respect to the sale of beer and wine at performing arts centers located on property owned or leased by the institutions if the seating capacity does not exceed 2,000 seats."

SECTION 2. G.S. 18B-1006 is amended by adding a new subsection to read:

"(o) County-Owned Facilities. – Notwithstanding any other provision of this Chapter, the Commission shall issue permits to allow the on-premises sales and consumption of beer and wine at a county-owned facility that is located adjacent to or separated by a road right-of-way from a municipality where mixed beverages, on-premises beer, and on-premises wines sales are authorized by law."

SECTION 3. G.S. 18B-1006(o), as enacted by Section 2 of this act, shall expire on December 31, 2005, and shall apply only to a wine festival where 15 or more wineries will be exhibiting their wines, the event is sponsored by a nonprofit organization, and the event lasts for not more than two days. The permits issued pursuant to G.S. 18B-1006(o) shall be valid only for the two days of the event.

SECTION 4. The Commission shall issue a special occasion permit under G.S. 18B-1001(8) to a sports facility occupied by a major league professional sports team with suites available for sale or lease to patrons of the facility to authorize patrons

to make available alcoholic beverages in those suites as if the patron were a host of a reception, party or other special occasion. If the patron occupying the suite so desires, alcoholic beverages by self-service may be made available to any person at least 21 years of age possessing a valid ticket to the event authorizing that person to occupy the suite. At no event may the patron make available a quantity of alcoholic beverages in excess of the amount a person is allowed to buy under G.S. 18B-303(a). This section does not authorize any person possessing a valid ticket to an event at the facility to bring alcoholic beverages onto the premises and consume those alcoholic beverages on the premises, or to remove those beverages from the suite.

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

In the General Assembly read three times and ratified this the 16th day of August, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:11 a.m. this 26th day of August, 2005