

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 829

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

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

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

April 11, 2013

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN ABC PERMITTEES TO SELL MALT BEVERAGES IN CERTAIN CONTAINERS FOR CONSUMPTION OFF THE PERMITTED PREMISES.

The General Assembly of North Carolina enacts:

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

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

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

- (1) On-Premises Malt Beverage Permit. – An on-premises malt beverage permit authorizes (i) the retail sale of malt beverages for consumption on the premises—~~and premises,~~ (ii) the retail sale of malt beverages in the manufacturer's original container for consumption off the ~~premises-premises,~~ and (iii) 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. It also authorizes the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:
  - a. Restaurants;
  - b. Hotels;
  - c. Eating establishments;
  - d. Food businesses;
  - e. Retail businesses;
  - f. Private clubs;
  - g. Convention centers;
  - h. Community theatres;
  - i. Breweries as authorized by G.S. 18B-1104(7).

- (2) Off-Premises Malt Beverage Permit. – An off-premises malt beverage permit authorizes (i) the retail sale of malt beverages in the manufacturer's original container for consumption off the ~~premises—and—it~~ 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) the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:



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- 1 a. Restaurants;
- 2 b. Hotels;
- 3 c. Eating establishments;
- 4 d. Food businesses;
- 5 e. Retail businesses.

6 ...  
7 (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.

27 ...."

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