

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 328  
PROPOSED COMMITTEE SUBSTITUTE H328-CSCE-10 [v.1]  
03/31/2021 01:27:44 PM

Short Title: Allow Trade or Exchange of Spirituous Liquor.

(Public)

Sponsors:

Referred to:

March 18, 2021

A BILL TO BE ENTITLED  
AN ACT TO ALLOW CERTAIN TRADES OR EXCHANGES OF LAWFULLY  
PURCHASED SPIRITUOUS LIQUOR WITHOUT OBTAINING A PERMIT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 18B-103 reads as rewritten:

**"§ 18B-103. Exemptions.**

~~The~~ All of the following activities shall be permitted:

- (1) The use of ethyl alcohol for scientific, chemical, pharmaceutical, mechanical, and industrial ~~purposes;~~ purposes.
- (2) The use of ethyl alcohol by persons authorized to obtain it tax free, as provided by federal ~~law;~~ law.
- (3) The use of ethyl alcohol in the manufacture and preparation of any product unfit for use as a ~~beverage;~~ beverage.
- (4) The use of alcoholic beverages by licensed physicians, druggists, or dental surgeons for medicinal or pharmaceutical purposes; or the use of alcoholic beverages by medical facilities established and maintained for the treatment of patients addicted to the use of alcohol or ~~drugs;~~ drugs.
- (5) The use of grain alcohol by college, university or State laboratories, and by manufacturers of medicine, for compounding, mixing, or preserving medicines or medical preparations, or for surgical ~~purposes;~~ purposes.
- (5a) The manufacture, possession, and consumption of alcoholic beverages for the purpose of conducting scientific, chemical, pharmaceutical, mechanical, industrial, and educational research in connection with teaching, research, or extension programs conducted by, or under the supervision of, an instructor at an accredited community college, public or private college or university, or an extension agent in connection with educational programs and activities offered by the North Carolina Cooperative Extension ~~Service;~~ Service.
- (6) The manufacture, importation, and possession of denatured alcohol produced and used as provided by federal ~~law;~~ law.
- (7) The manufacture or sale of cider or ~~vinegar;~~ vinegar.
- (8) The possession and use of unfortified wine or fortified wine for sacramental purpose by any organized church or ordained minister, including in public school buildings when the use of those buildings is approved by the local school ~~board;~~ board.
- (9) The possession and use of alcohol acquired for controlled-drinking programs as authorized under ~~G.S. 20-139.1(g);~~ G.S. 20-139.1(g).



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- 1 (10) The use of spirituous liquor in the manufacture of flavors or flavoring extracts  
2 that are unfit for beverage ~~use~~; use.
- 3 (11) Under the direct supervision of an instructor during a culinary class that is part  
4 of an established culinary curriculum at an accredited college or university,  
5 the delivery to or possession or consumption by a student who is less than 21  
6 years of age, when the student is required to taste or imbibe the alcoholic  
7 beverage during a culinary class conducted pursuant to the curriculum.
- 8 (12) The trade or exchange of lawfully purchased spirituous liquor if all of the  
9 following requirements are met:
- 10 a. The transaction only involves the trade or exchange of lawfully  
11 purchased spirituous liquor for other lawfully purchased spirituous  
12 liquor.
- 13 b. The trade or exchange is only between individuals, for personal use  
14 only, and not for resale.
- 15 c. The spirituous liquor to be traded or exchanged is or has been  
16 approved by the Commission for sale in this State and is not unfit for  
17 human consumption.
- 18 d. The spirituous liquor is not an antique spirituous liquor as that term is  
19 defined in G.S. 18B-101(5a)."

20 **SECTION 2.** The Alcoholic Beverage Control Commission shall adopt temporary  
21 rules to implement the provisions of this act. Temporary rules adopted in accordance with this  
22 section shall remain in effect until permanent rules that replace the temporary rules become  
23 effective.

24 **SECTION 3.** This act becomes effective October 1, 2021, and applies to trades or  
25 exchanges made on or after that date.