

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

**H.B. 890**  
**May 4, 2021**  
**HOUSE PRINCIPAL CLERK**

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**HOUSE BILL DRH40538-ML-109B**

Short Title: ABC Omnibus Legislation.

(Public)

Sponsors: Representative Moffitt.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE ALCOHOLIC BEVERAGE CONTROL  
3 COMMISSION LAWS.

4 The General Assembly of North Carolina enacts:

5  
6 **PART I. ALLOW ONLINE ORDERS FROM ABC STORES**

7 **SECTION 1.1.** G.S. 18B-800(a) reads as rewritten:

8 "(a) Spirituous Liquor. – Except as provided in Articles 10 and 11 of this Chapter,  
9 spirituous liquor may be sold only in ABC stores operated by local boards. For purposes of this  
10 subsection, the term "sold only in ABC stores operated by local boards" includes online orders  
11 placed in accordance with subsection (c3) of this section."

12 **SECTION 1.2.** G.S. 18B-800 is amended by adding a new subsection to read:

13 "(c3) Online Orders. – An ABC store may accept an online order, including payment, for  
14 alcoholic beverages sold in its store. An order placed online pursuant to this subsection shall be  
15 picked up in person at the store by a person who is 21 years of age or older. A person shall not  
16 be prosecuted for a violation of G.S. 18B-302(a)(2) for an online sale under this subsection of  
17 fortified wine or spirituous liquor to a person less than 21 years old unless the person knew the  
18 purchaser was less than 21 years old at the time the online order was placed."

19 **SECTION 1.3.** This Part becomes effective July 1, 2021, and applies to sales on or  
20 after that date.

21  
22 **PART II. ALLOW PERSONALIZED LABEL ON SPIRITUOUS LIQUOR PURCHASE**

23 **SECTION 2.1.** G.S. 18B-800(c1) reads as rewritten:

24 "(c1) Special Orders of Special Items. – Through the process established by rule of the  
25 Commission for special orders of spirituous liquor that are on the special item list approved by  
26 the Commission, ABC stores shall allow the purchase of individual bottles of spirituous liquor.  
27 ABC stores may sell in store any bottles it receives from a special item case in excess of what  
28 was purchased by the requesting customer. Bottles purchased pursuant to this subsection may be  
29 affixed with personalized labeling that includes any other labeling requirements set by law. For  
30 purposes of this subsection, the term "personalized labeling" means the inclusion of the name of  
31 the purchaser on the label."

32 **SECTION 2.2.** G.S. 18B-1105(a)(4) reads as rewritten:

33 "(4) Sell spirituous liquor distilled at the distillery in closed containers to visitors  
34 who tour the distillery for consumption off the premises. Sales under this  
35 subdivision are allowed only in a county where the establishment of a county  
36 or municipal ABC store has been approved pursuant to G.S. 18B-602(g) and



1 are subject to the time and day restrictions in G.S. 18B-802. Spirituous liquor  
2 sold under this subdivision shall (i) be listed as a code item for sale in the  
3 State, (ii) be sold at the price set by the Commission for the code item pursuant  
4 to G.S. 18B-804(b), and (iii) have affixed to its bottle any labeling  
5 requirements set by law. A bottle of spirituous liquor sold under this  
6 subdivision may have personalized labeling affixed to it that includes any  
7 other labeling requirements set by law. For purposes of this subdivision, the  
8 term "personalized labeling" means the inclusion of the name of the purchaser  
9 on the label."

10 **SECTION 2.3.** This Part becomes effective July 1, 2021, and applies to spirituous  
11 liquor sold on or after that date.

### 12 **PART III. PERMIT FOR ABC STORE TASTINGS/CLARIFICATION**

13 **SECTION 3.1.** G.S. 18B-1114.7(c) is amended by adding a new subdivision to read:

14 "(1a) The permit shall be issued in the name of the business listed on the application  
15 for the permit."

16 **SECTION 3.2.** This Part becomes effective July 1, 2021, and applies to permits  
17 issued on or after that date.

### 18 **PART IV. [RESERVED]**

### 19 **PART V. ESTABLISH NORTH CAROLINA SPIRITUOUS LIQUOR COUNCIL**

20 **SECTION 5.1.** Chapter 106 of the General Statutes is amended by adding a new  
21 Article to read:

22 "Article 62B.

23 "Spirituous Liquor Council.

#### 24 **"§ 106-755.3. North Carolina Spirituous Liquor Council – Creation; powers and duties.**

25 There is created the North Carolina Spirituous Liquor Council (Council) of the Department  
26 of Agriculture and Consumer Services. The Council shall have all of the following powers and  
27 duties:

- 28 (1) To identify and implement methods for improving North Carolina's rank as a  
29 spirituous liquor-producing State.
  - 30 (2) To assure orderly growth and development of North Carolina's spirituous  
31 liquor industry.
  - 32 (3) To achieve public awareness of the quality of North Carolina spirituous liquor.
  - 33 (4) To coordinate the interaction of North Carolina's spirituous liquor industry  
34 with other segments of the State's economy such as tourism, retail trade, and  
35 horticulture.
  - 36 (5) To conduct methods of quality assurance of North Carolina's spirituous liquor  
37 industry to create a sound foundation for further growth.
  - 38 (6) To assist in the coordination of the activities of the various State agencies and  
39 other organizations contributing to the development of the spirituous liquor  
40 industry.
  - 41 (7) To receive and disburse funds.
  - 42 (8) To enter into contracts for the purpose of developing new or improved markets  
43 or marketing methods for spirituous liquor products.
  - 44 (9) Contract for research services to improve farming practices related to the  
45 growing of ingredients necessary for alcohol distillation in North Carolina.
  - 46 (10) To enter into agreements with any local, State, or national organizations or  
47 agencies engaged in education for the purpose of disseminating information  
48 on spirituous liquor projects.
- 49  
50  
51

- 1           (11) To enter into contracts with commercial entities for the purpose of developing  
2 marketing, advertising, and other promotional programs designed to promote  
3 the orderly growth of the North Carolina spirituous liquor industry.  
4           (12) To acquire any licenses or permits necessary for performance of the duties of  
5 the Council.  
6           (13) To develop a plan that identifies problems and constraints of the spirituous  
7 liquor industry, proposes solutions to those problems, and delineates planning  
8 mechanisms for the orderly growth of the industry.  
9           (14) Beginning September 1, 2022, to annually report to the chairs of the Senate  
10 Appropriations Committee on Agriculture, Natural, and Economic Resources,  
11 the chairs of the House of Representatives Appropriations Committee on  
12 Agriculture and Natural and Economic Resources, the Joint Legislative  
13 Oversight Committee on Agriculture and Natural and Economic Resources,  
14 and the Fiscal Research Division on the activities of the Council, the status of  
15 the spirituous liquor industry in North Carolina and the United States, progress  
16 on the development and implementation of the plan required under  
17 subdivision (13) of this section, and any contracts or agreements entered into  
18 by the Council for research, education, or marketing.

19 **"§ 106-755.4. North Carolina Spirituous Liquor Council – Composition; terms;**  
20 **reimbursement.**

21           (a) The North Carolina Spirituous Liquor Council (Council) shall consist of 10 members  
22 who shall be appointed by the Commissioner of Agriculture to serve two-year terms. The  
23 members appointed shall be chosen from among individuals who have education or experience  
24 in the spirituous liquor industry or in the field of tourism. No member of the Council may serve  
25 for more than two consecutive terms. Initial terms shall commence September 1, 2021.

26           (b) The Council shall meet at least twice each calendar year, during which time the  
27 Council shall discuss issues related to the Council's powers and duties, including ways in which  
28 to promote and advertise North Carolina distilleries and ways in which to improve, use, and  
29 distribute State maps showing distillery locations. After each meeting, the Council shall report  
30 to the Commissioner of Agriculture with its recommendations. Notwithstanding any other  
31 provision of law, Council members shall receive no salary, per diem, subsistence, travel  
32 reimbursement, or other stipend or reimbursement as a result of serving on the Council.

33           (c) The Council shall elect from its membership a chair and vice-chair. Vacancies  
34 resulting from the resignation of a member or otherwise shall be filled in the same manner in  
35 which the original appointment was made, and the term shall be for the balance of the unexpired  
36 term. A majority of the members of the Council shall constitute a quorum for the transaction of  
37 business. The affirmative vote of a majority of the members present at meetings of the Council  
38 shall be necessary for action to be taken by the Council.

39           (d) The Commissioner of Agriculture shall provide professional and clerical staff and  
40 other services and supplies, including meeting space, as needed for the Council to carry out its  
41 duties."

42           **SECTION 5.2.** Notwithstanding any provision of law to the contrary, the initial  
43 appointments to the North Carolina Spirituous Liquor Council established under G.S. 106-755.3,  
44 as enacted by Section 5.1 of this act, shall begin on September 1, 2021, and five members shall  
45 be appointed for a term to end September 1, 2022, and five members shall be appointed for a  
46 term to end September 1, 2023. Thereafter, members shall be appointed for two-year terms in  
47 accordance with G.S. 106-755.4, as enacted by Section 5.1 of this act.

48           **SECTION 5.3.** Section 5.1 of this act becomes effective September 1, 2021.

49  
50 **PART VI. WINERY AND DISTILLERY LAW REVISIONS**

1           **SECTION 6.1.(a)** G.S. 18B-1105(a)(4), as amended by Section 2.2 of this act, reads  
2 as rewritten:

3           "(4)    Sell spirituous liquor distilled at the distillery in closed containers to visitors  
4 who tour the distillery for consumption off the premises. Sales under this  
5 subdivision are allowed only in a county where the establishment of a county  
6 or municipal ABC store has been approved pursuant to G.S. 18B-602(g) and  
7 are subject to the time and day restrictions in ~~G.S. 18B-802~~. G.S. 18B-1004.  
8 Spirituous liquor sold under this subdivision shall (i) be listed as a code item  
9 for sale in the State, (ii) be sold at the price set by the Commission for the  
10 code item pursuant to G.S. 18B-804(b), and (iii) have affixed to its bottle any  
11 labeling requirements set by law. A bottle of spirituous liquor sold under this  
12 subdivision may have personalized labeling affixed to it that includes any  
13 other labeling requirements set by law. For purposes of this subdivision, the  
14 term "personalized labeling" means the inclusion of the name of the purchaser  
15 on the label."

16           **SECTION 6.1.(b)** This section becomes effective July 1, 2021, and applies to sales  
17 on or after that date.

18           **SECTION 6.2.(a)** G.S. 18B-1114.7 reads as rewritten:

19           "**§ 18B-1114.7. Authorization of spirituous liquor special event permit.**

20           (a)    Authorization. – The holder of a supplier representative permit, brokerage  
21 representative permit, or distillery permit issued under G.S. 18B-1105 may obtain a spirituous  
22 liquor special event permit allowing the permittee to give free tastings of its spirituous liquors at  
23 ABC stores where the local board has approved the tasting, trade shows, conventions, shopping  
24 malls, street festivals, holiday festivals, agricultural festivals, farmers markets, balloon races,  
25 local fund-raisers, and other similar events approved by the Commission. Additionally, the holder  
26 of a supplier representative permit, brokerage representative permit, or distillery permit issued  
27 under G.S. 18B-1105 may obtain a spirituous liquor special event permit allowing the permittee  
28 to sell mixed beverages containing its spirituous liquor or sell its spirituous liquor in closed  
29 containers at trade shows, conventions, shopping malls, street festivals, holiday festivals,  
30 agricultural festivals, farmers markets, balloon races, local fund-raisers, and other similar events  
31 approved by the Commission.

32           (b)    General Limitations. – Except as otherwise provided in subsection (c) of this section,  
33 any consumer tasting is subject to the following limitations:

- 34           (1)    The permit holder or the permit holder's authorized agent shall conduct the  
35 ~~consumer tasting event~~ and the permit holder shall be solely responsible for  
36 any violations of this Chapter occurring in connection with the ~~consumer~~  
37 ~~tasting event~~.
- 38           (2)    The spirituous liquor shall be poured only by either (i) the permit holder  
39 conducting the consumer tasting or (ii) an employee or authorized agent of the  
40 permit holder conducting the consumer tasting who is at least 21 years of age.
- 41           (3)    Each consumer shall be limited to one tasting sample containing 0.25 ounces  
42 of any product made available for sampling at the consumer tasting, and the  
43 total amount of the tasting samples offered to and consumed by each consumer  
44 shall not exceed 1.0 ounce of spirituous liquor in any calendar day. The  
45 limitation set forth in this subdivision does not apply to the sale of spirituous  
46 liquor in closed containers or mixed beverages.
- 47           (4)    The permit holder shall not sell its spirituous liquor to, offer tasting samples  
48 to, or allow consumption of tasting samples by, any consumer who is visibly  
49 intoxicated.
- 50           (5)    The permit holder shall not sell its spirituous liquor to, offer tasting samples  
51 to, or allow consumption of tasting samples by, any consumer under the legal

1 age for consuming spirituous liquor. The person pouring the spirituous liquor  
2 shall be responsible for verifying the age of the consumer being served by  
3 checking the identification of the consumer.

4 (6) The permit holder shall not charge a consumer for any tasting sample. The  
5 limitation in this subdivision does not apply to the sale of spirituous liquor in  
6 closed containers or mixed beverages.

7 (7) Repealed by Session Laws 2019-182, s. 6(a), effective September 1, 2019.

8 (8) A consumer tasting shall not be allowed unless the venue is located in a  
9 jurisdiction that has approved the sale of mixed beverages.

10 (9) The permit holder may provide point-of-sale advertising materials and  
11 advertising specialties and may sell branded merchandise such as glassware,  
12 cups, signs, t-shirts, hats, and other apparel to consumers at the consumer  
13 tasting.

14 (10) The permit holder shall maintain for a period of at least one year a record of  
15 each consumer tasting conducted. The record shall include the date of the  
16 consumer tasting, the time of the consumer tasting, an identification of the  
17 venue at which the consumer tasting was held, an identification of the  
18 spirituous liquor that was provided for tasting at the consumer tasting, and the  
19 name of any person who poured spirituous liquor at the consumer tasting. The  
20 permit holder shall allow the ABC Commission to inspect those records at any  
21 time.

22 ...."

23 **SECTION 6.2.(b)** G.S. 18B-1105(a)(5) reads as rewritten:

24 "(5) Conduct consumer tastings and sell its spirituous liquor in accordance with  
25 G.S. 18B-1114.7."

26 **SECTION 6.2.(c)** This section becomes effective July 1, 2021, and applies to events  
27 held on or after that date.

28 **SECTION 6.3.(a)** G.S. 130A-247 reads as rewritten:

29 **"§ 130A-247. Definitions.**

30 The following definitions shall apply throughout this Part:

31 ...

32 (11) "Distillery" means an establishment licensed under G.S. 18B-1105 that is not  
33 engaged in the preparation of food on the premises. For purposes of this  
34 subdivision, the term "food" does not include beverages.

35 (12) "Winery" means an establishment licensed under G.S. 18B-1101 or  
36 G.S. 18B-1102 that is not engaged in the preparation of food on the premises.  
37 For purposes of this subdivision, the term "food" does not include beverages."

38 **SECTION 6.3.(b)** G.S. 130A-248(a) reads as rewritten:

39 "(a) For the protection of the public health, the Commission shall adopt rules governing  
40 the sanitation of establishments that prepare or serve drink or food for pay and establishments  
41 that prepare and sell meat food products or poultry products. However, any establishment that  
42 prepares or serves food or drink to the public, regardless of pay, shall be subject to the provisions  
43 of this Article if the establishment that prepares or serves food or drink holds an ABC permit, as  
44 defined in G.S. 18B-101, meets any of the definitions in G.S. 18B-1000, and does not meet the  
45 definition of a brewery as provided in G.S. 130A-247(10) or a private bar as provided in  
46 G.S. 130A-247(1b) or a private club as provided in G.S. 130A-247(2). set forth in G.S. 130A-247  
47 for a brewery, distillery, private bar, private club, or winery."

48 **SECTION 6.3.(c)** G.S. 130A-250 reads as rewritten:

49 **"§ 130A-250. Exemptions.**

50 The following shall be exempt from this Part:

51 ...

1           (18) A distillery as defined in G.S. 130A-247(11).

2           (19) A winery as defined in G.S. 130A-247(12)."

3           **SECTION 6.3.(d)** Penalties imposed and fees charged before the effective date of  
4 this section are not abated or affected by this section, and the statutes that would be applicable  
5 but for this section remain applicable to those penalties and fees.

6           **SECTION 6.3.(e)** The Revisor of Statutes is authorized to alphabetize, number, and  
7 renumber the definitions listed in G.S. 130A-247, as amended by subsection (a) of this section,  
8 to ensure that all the definitions are listed in alphabetical order and numbered accordingly.

9           **SECTION 6.3.(f)** This section becomes effective September 1, 2021.

10          **SECTION 6.4.(a)** G.S. 18B-1100 reads as rewritten:

11 **"§ 18B-1100. Commercial permits.**

12          The Commission may issue the following commercial permits:

13           ...

14           (21) Spirituous liquor special event permit."

15          **SECTION 6.4.(b)** This section becomes effective May 1, 2022, and applies to  
16 permits issued or renewed on or after that date.

## 17 18 **PART VII. EXPAND ALLOWABLE GROWLER SIZE**

19          **SECTION 7.1.(a)** Rule. – For purposes of this section and its implementation,  
20 "Growler Rule" means 14B NCAC 15C .0307 (Growlers).

21          **SECTION 7.1.(b)** Growler Rule. – Until the effective date of the revised permanent  
22 rule that the ABC Commission is required to adopt pursuant to subsection (d) of this section, the  
23 Commission shall implement the Growler Rule as provided in subsection (c) of this section.

24          **SECTION 7.1.(c)** Implementation. – Notwithstanding subsection (a) of 14B NCAC  
25 15C .0307, a "growler" shall be defined as a rigid glass, ceramic, plastic, aluminum, or stainless  
26 steel container with a closure or cap with a secure sealing that is no larger than 4 liters (1.0567  
27 gallons) into which a malt beverage or unfortified wine is prefilled, filled, or refilled for  
28 off-premises consumption.

29          **SECTION 7.1.(d)** Additional Rulemaking Authority. – The Commission shall adopt  
30 a rule to amend the Growler Rule consistent with subsection (c) of this section. Notwithstanding  
31 G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be  
32 substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant  
33 to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes.  
34 Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1),  
35 as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

36          **SECTION 7.1.(e)** Effective Date. – Subsection (c) of this section expires on the date  
37 that rules adopted pursuant to subsection (d) of this section become effective. The remainder of  
38 this section is effective when it becomes law.

## 39 40 **PART VIII. REVISE TERMINOLOGY**

41          **SECTION 8.1.** G.S. 18B-800 reads as rewritten:

42 **"§ 18B-800. Sale of alcoholic beverages in ABC stores.**

43           ...

44          (c2) Orders of Eligible Distillery Products by Mixed Beverages Permittees. – A local  
45 board shall fulfill an order by a mixed beverages permittee for individual bottles or cases of  
46 spirituous liquor produced by an eligible distillery that are listed as a regular code item for sale  
47 in the State. If a local board cannot fulfill an order of a mixed beverages permittee for individual  
48 bottles or cases of spirituous liquor produced by an eligible distillery that are listed as a regular  
49 code item for sale in the State because the product ordered is not in the local board's stock  
50 inventory or the order cannot otherwise be fulfilled within the time period requested by the  
51 permittee, the local board shall notify the Commission within 48 hours of the request for the

1 order and request authorization for direct shipment. The Commission shall then determine if the  
2 eligible distillery desires to directly ship the ordered product directly to the local board, and if so  
3 the Commission shall authorize the eligible distillery to ship the spirituous liquor ordered to the  
4 local board for the fulfillment of the mixed beverages permittee's order. Merchandise authorized  
5 to be shipped by direct shipment under this subsection shall be consigned by the State ABC  
6 warehouse to the distiller's account in care of the local board. The local board shall acknowledge  
7 receipt of the merchandise on the shipping documents and forward them to the State ABC  
8 warehouse for processing through the accounting system as though the merchandise were  
9 shipped from the State ABC warehouse. As used in this subsection, an "eligible distillery" is a  
10 distillery (i) that sells, to consumers at the distillery, to exporters, to local boards, and to private  
11 or public agencies or establishments of other states or nations, fewer than 10,000 proof gallons  
12 of in-house brand spirituous liquors distilled or produced and manufactured by it at the permit  
13 holder's distillery per year, and (ii) that is either the holder of a distillery permit pursuant to  
14 G.S. 18B-1105 or is a business located outside the State that is licensed or permitted to  
15 manufacture spirituous liquor in the jurisdiction where the business is located and whose products  
16 are lawfully sold in this State.

17 ...

18 (e) Each ABC store shall display spirits which are distilled or produced in North Carolina  
19 in an area dedicated solely to North Carolina products."

20 **SECTION 8.2.** G.S. 18B-1001(19)e. reads as rewritten:

21 "e. The spirituous liquor used in the consumer tasting event shall be  
22 distilled or produced at the distillery where the event is being held by  
23 the permit holder conducting the event."

24 **SECTION 8.3.** G.S. 18B-1105(a)(4), as amended by Sections 2.2 and 6.1 of this act,  
25 reads as rewritten:

26 "(4) Sell spirituous liquor distilled or produced at the distillery in closed containers  
27 to visitors who tour the distillery for consumption off the premises. Sales  
28 under this subdivision are allowed only in a county where the establishment  
29 of a county or municipal ABC store has been approved pursuant to  
30 G.S. 18B-602(g). Spirituous liquor sold under this subdivision shall (i) be  
31 listed as a code item for sale in the State, (ii) be sold at the price set by the  
32 Commission for the code item pursuant to G.S. 18B-804(b), and (iii) have  
33 affixed to its bottle any labeling requirements set by law. A bottle of spirituous  
34 liquor sold under this subdivision may have personalized labeling affixed to  
35 it that includes any other labeling requirements set by law. For purposes of  
36 this subdivision, the term "personalized labeling" means the inclusion of the  
37 name of the purchaser on the label."

38 **SECTION 8.4.** This Part becomes effective July 1, 2021.

39  
40 **PART IX. DISTILLERIES/REMOVE TOUR REQUIREMENT FOR SALE OF BOTTLE**  
41 **OF SPIRITUOUS LIQUOR FOR OFF-PREMISES CONSUMPTION**

42 **SECTION 9.1.** G.S. 18B-1105(a)(4), as amended by Sections 2.2., 6.1, and 8.3 of  
43 this act, reads as rewritten:

44 "(4) Sell spirituous liquor distilled or produced at the distillery in closed containers  
45 to visitors ~~who tour of~~ the distillery for consumption off the premises. Sales  
46 under this subdivision are allowed only in a county where the establishment  
47 of a county or municipal ABC store has been approved pursuant to  
48 G.S. 18B-602(g). Spirituous liquor sold under this subdivision shall (i) be  
49 listed as a code item for sale in the State, (ii) be sold at the price set by the  
50 Commission for the code item pursuant to G.S. 18B-804(b), and (iii) have  
51 affixed to its bottle any labeling requirements set by law. A bottle of spirituous

1 liquor sold under this subdivision may have personalized labeling affixed to  
2 it that includes any other labeling requirements set by law. For purposes of  
3 this subdivision, the term "personalized labeling" means the inclusion of the  
4 name of the purchaser on the label."

5 **SECTION 9.2.** This Part becomes effective July 1, 2021, and applies to sales made  
6 on or after that date.

7  
8 **PART X. ALLOW DISTILLERIES TO SELL SPIRITUOUS LIQUOR PRODUCED BY**  
9 **THE DISTILLER DIRECTLY TO CONSUMERS IN OTHER STATES**

10 **SECTION 10.1.** G.S. 18B-1105(a)(2) reads as rewritten:

11 "(2) Sell, deliver and ship spirituous liquor in closed containers at wholesale to (i)  
12 exporters and local boards within the State, and, (ii) subject to the laws of  
13 other jurisdictions, at wholesale or retail to consumers, private or public  
14 ~~agencies—agencies, or establishments—establishments,~~ of other states or  
15 ~~nations.~~ nations, except that the holder of a distillery permit may not sell,  
16 deliver, or ship spirituous liquor at retail to consumers in jurisdictions that  
17 require reciprocity in order to allow such sales, deliveries, or shipments."

18 **SECTION 10.2.** This Part becomes effective July 1, 2021, and applies to sales made  
19 on or after that date.

20  
21 **PART XI. CLARIFY LAW ON THE SALE, POSSESSION, AND CONSUMPTION OF**  
22 **SPIRITUOUS LIQUOR AT A DISTILLERY**

23 **SECTION 11.1.(a)** G.S. 18B-1105(a)(1), as amended by Section 4.5 of this act,  
24 reads as rewritten:

25 "(1) Manufacture, purchase, import, possess and transport ingredients and  
26 equipment used in (i) the distillation or production of spirituous liquor or (ii)  
27 the manufacturing of low alcohol beverage coolers. The authorization to  
28 possess ingredients set forth in this subdivision includes the possession of  
29 spirituous liquor not distilled or produced at the distillery that is used for the  
30 production of spirituous liquor."

31 **SECTION 11.1.(b)** This section becomes effective July 1, 2021, and applies to  
32 spirituous liquor possessed on or after that date.

33 **SECTION 11.2.(a)** G.S. 18B-1105(a)(5), as amended by Section 6.2(b) of this act,  
34 reads as rewritten:

35 "(5) Conduct consumer tastings and sell its spirituous liquor in accordance with  
36 G.S. 18B-1114.7. Consumer tastings authorized under this subdivision may  
37 be conducted on any part of the licensed premises of the distillery."

38 **SECTION 11.2.(b)** This section becomes effective July 1, 2021, and applies to  
39 events held on or after that date.

40 **SECTION 11.3.(a)** G.S. 18B-1105 is amended by adding a new subsection to read:

41 "(d) Control of Location of Sale and Consumption on Premises. – Except as otherwise  
42 prohibited by federal law or the holder of the distillery permit, an alcoholic beverage authorized  
43 to be sold or consumed under this section may be sold or consumed on any part of the licensed  
44 premises of the distillery."

45 **SECTION 11.3.(b)** This section becomes effective July 1, 2021, and applies to the  
46 sale and consumption of alcoholic beverages on or after that date.

47  
48 **PART XII. ALLOW ABC AGE VERIFICATION WITH SPECIAL IDENTIFICATION**  
49 **CARDS FROM OTHER STATES**

50 **SECTION 12.1.(a)** Rule. – For purposes of this section and its implementation,  
51 "Identification Rule" means 14B NCAC 15B .0224 (Consumption by Underage Persons).



1           **SECTION 12.1.(b)** Identification Rule. – Until the effective date of the revised  
2 permanent rule that the ABC Commission is required to adopt pursuant to subsection (d) of this  
3 section, the Commission shall implement the Identification Rule as provided in subsection (c) of  
4 this section.

5           **SECTION 12.1.(c)** Implementation. – It shall be the duty of the permittee and his  
6 employees to determine the age of any person consuming or possessing alcoholic beverages on  
7 the licensed premises. Acceptable identification for purposes of determining age shall be a drivers  
8 license, a special identification card issued by the Division of Motor Vehicles of any state, a  
9 military identification card, or a passport.

10           **SECTION 12.1.(d)** Additional Rulemaking Authority. – The Commission shall  
11 adopt a rule to amend the Identification Rule consistent with subsection (c) of this section.  
12 Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section  
13 shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted  
14 pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General  
15 Statutes. Rules adopted pursuant to this section shall become effective as provided in  
16 G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in  
17 G.S. 150B-21.3(b2).

18           **SECTION 12.1.(e)** Effective Date. – Subsection (c) of this section expires on the  
19 date that rules adopted pursuant to subsection (d) of this section become effective. The remainder  
20 of this section is effective when it becomes law.

21  
22 **PART XIII. ALLOW SALE AND DELIVERY OF MORE THAN ONE ALCOHOLIC**  
23 **BEVERAGE DRINK AT COLLEGE OR UNIVERSITY STADIUM, ATHLETIC**  
24 **FACILITY, ARENA, OR SPORTING EVENT**

25           **SECTION 13.1.(a)** G.S. 18B-1010(b) is repealed.

26           **SECTION 13.1.(b)** This section becomes effective July 1, 2021, and applies to the  
27 sale and delivery of alcoholic beverages on or after that date.

28  
29 **PART XIV. RULEMAKING, SAVINGS CLAUSE, AND EFFECTIVE DATE**

30           **SECTION 14.1.** The Alcoholic Beverage Control Commission shall adopt rules, or  
31 amend its rules, consistent with the provisions of this act. The Commission may use the procedure  
32 set forth in G.S. 150B-21.1 to adopt or amend any rules as required under this subsection.

33           **SECTION 14.2.** Prosecutions for offenses committed before the effective date of  
34 this act are not abated or affected by this act, and the statutes that would be applicable but for  
35 this act remain applicable to those prosecutions.

36           **SECTION 14.3.** Except as otherwise provided, this act is effective when it becomes  
37 law.