

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 890

Short Title: ABC Omnibus Legislation. (Public)

Sponsors: Representatives Moffitt, Boles, Willingham, and Saine (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Alcoholic Beverage Control, if favorable, Rules, Calendar, and Operations of the House

May 5, 2021

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



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

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

14 **PART III. PERMIT FOR ABC STORE TASTINGS/CLARIFICATION**

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

16 "(1a) The permit shall be issued in the name of the business listed on the application
17 for the permit."

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

20 **PART IV. [RESERVED]**

21 **PART V. ESTABLISH NORTH CAROLINA SPIRITUOUS LIQUOR COUNCIL**

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

24 "Article 62B.

25 "Spirituous Liquor Council.

26 **"§ 106-755.3. North Carolina Spirituous Liquor Council – Creation; powers and duties.**

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

- 30 (1) To identify and implement methods for improving North Carolina's rank as a
31 spirituous liquor-producing State.
 - 32 (2) To assure orderly growth and development of North Carolina's spirituous
33 liquor industry.
 - 34 (3) To achieve public awareness of the quality of North Carolina spirituous liquor.
 - 35 (4) To coordinate the interaction of North Carolina's spirituous liquor industry
36 with other segments of the State's economy such as tourism, retail trade, and
37 horticulture.
 - 38 (5) To conduct methods of quality assurance of North Carolina's spirituous liquor
39 industry to create a sound foundation for further growth.
 - 40 (6) To assist in the coordination of the activities of the various State agencies and
41 other organizations contributing to the development of the spirituous liquor
42 industry.
 - 43 (7) To receive and disburse funds.
 - 44 (8) To enter into contracts for the purpose of developing new or improved markets
45 or marketing methods for spirituous liquor products.
 - 46 (9) Contract for research services to improve farming practices related to the
47 growing of ingredients necessary for alcohol distillation in North Carolina.
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- 1 (10) To enter into agreements with any local, State, or national organizations or
2 agencies engaged in education for the purpose of disseminating information
3 on spirituous liquor projects.
- 4 (11) To enter into contracts with commercial entities for the purpose of developing
5 marketing, advertising, and other promotional programs designed to promote
6 the orderly growth of the North Carolina spirituous liquor industry.
- 7 (12) To acquire any licenses or permits necessary for performance of the duties of
8 the Council.
- 9 (13) To develop a plan that identifies problems and constraints of the spirituous
10 liquor industry, proposes solutions to those problems, and delineates planning
11 mechanisms for the orderly growth of the industry.
- 12 (14) Beginning September 1, 2022, to annually report to the chairs of the Senate
13 Appropriations Committee on Agriculture, Natural, and Economic Resources,
14 the chairs of the House of Representatives Appropriations Committee on
15 Agriculture and Natural and Economic Resources, the Joint Legislative
16 Oversight Committee on Agriculture and Natural and Economic Resources,
17 and the Fiscal Research Division on the activities of the Council, the status of
18 the spirituous liquor industry in North Carolina and the United States, progress
19 on the development and implementation of the plan required under
20 subdivision (13) of this section, and any contracts or agreements entered into
21 by the Council for research, education, or marketing.

22 **"§ 106-755.4. North Carolina Spirituous Liquor Council – Composition; terms;**
23 **reimbursement.**

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

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

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

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

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

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

PART VI. WINERY AND DISTILLERY LAW REVISIONS

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

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

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

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

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

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

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

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

- 1 (5) The permit holder shall not sell its spirituous liquor to, offer tasting samples
2 to, or allow consumption of tasting samples by, any consumer under the legal
3 age for consuming spirituous liquor. The person pouring the spirituous liquor
4 shall be responsible for verifying the age of the consumer being served by
5 checking the identification of the consumer.
- 6 (6) The permit holder shall not charge a consumer for any tasting sample. The
7 limitation in this subdivision does not apply to the sale of spirituous liquor in
8 closed containers or mixed beverages.
- 9 (7) Repealed by Session Laws 2019-182, s. 6(a), effective September 1, 2019.
- 10 (8) A consumer tasting shall not be allowed unless the venue is located in a
11 jurisdiction that has approved the sale of mixed beverages.
- 12 (9) The permit holder may provide point-of-sale advertising materials and
13 advertising specialties and may sell branded merchandise such as glassware,
14 cups, signs, t-shirts, hats, and other apparel to consumers at the consumer
15 tasting.
- 16 (10) The permit holder shall maintain for a period of at least one year a record of
17 each consumer tasting conducted. The record shall include the date of the
18 consumer tasting, the time of the consumer tasting, an identification of the
19 venue at which the consumer tasting was held, an identification of the
20 spirituous liquor that was provided for tasting at the consumer tasting, and the
21 name of any person who poured spirituous liquor at the consumer tasting. The
22 permit holder shall allow the ABC Commission to inspect those records at any
23 time.

24"

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

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

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

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

31 **"§ 130A-247. Definitions.**

32 The following definitions shall apply throughout this Part:

33 ...

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

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

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

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

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

51 **"§ 130A-250. Exemptions.**

1 The following shall be exempt from this Part:

2 ...

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

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

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

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

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

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

13 **"§ 18B-1100. Commercial permits.**

14 The Commission may issue the following commercial permits:

15 ...

16 (21) Spirituous liquor special event permit."

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

19 **PART VII. EXPAND ALLOWABLE GROWLER SIZE**

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

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

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

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

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

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
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1 inventory or the order cannot otherwise be fulfilled within the time period requested by the
2 permittee, the local board shall notify the Commission within 48 hours of the request for the
3 order and request authorization for direct shipment. The Commission shall then determine if the
4 eligible distillery desires to directly ship the ordered product directly to the local board, and if so
5 the Commission shall authorize the eligible distillery to ship the spirituous liquor ordered to the
6 local board for the fulfillment of the mixed beverages permittee's order. Merchandise authorized
7 to be shipped by direct shipment under this subsection shall be consigned by the State ABC
8 warehouse to the distiller's account in care of the local board. The local board shall acknowledge
9 receipt of the merchandise on the shipping documents and forward them to the State ABC
10 warehouse for processing through the accounting system as though the merchandise were
11 shipped from the State ABC warehouse. As used in this subsection, an "eligible distillery" is a
12 distillery (i) that sells, to consumers at the distillery, to exporters, to local boards, and to private
13 or public agencies or establishments of other states or nations, fewer than 10,000 proof gallons
14 of in-house brand spirituous liquors distilled or produced and manufactured by it at the permit
15 holder's distillery per year, and (ii) that is either the holder of a distillery permit pursuant to
16 G.S. 18B-1105 or is a business located outside the State that is licensed or permitted to
17 manufacture spirituous liquor in the jurisdiction where the business is located and whose products
18 are lawfully sold in this State.

19 ...

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

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

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

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

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

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

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

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

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

1 Commission for the code item pursuant to G.S. 18B-804(b), and (iii) have
2 affixed to its bottle any labeling requirements set by law. A bottle of spirituous
3 liquor sold under this subdivision may have personalized labeling affixed to
4 it that includes any other labeling requirements set by law. For purposes of
5 this subdivision, the term "personalized labeling" means the inclusion of the
6 name of the purchaser on the label."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30
31 **PART XIV. RULEMAKING, SAVINGS CLAUSE, AND EFFECTIVE DATE**

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

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

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