

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 290

Short Title: Prohibit Powdered Alcohol. (Public)

Sponsors: Representative Willingham (Primary Sponsor).

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

Referred to: Alcoholic Beverage Control, if favorable, Health.

March 19, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT THE SALE, POSSESSION, OR CONSUMPTION OF POWDERED  
3 ALCOHOL AND TO CLARIFY THAT THE ADMINISTRATIVE PROCEDURE ACT  
4 APPLIES TO CERTAIN ACTIONS TAKEN BY THE ABC COMMISSION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 18B-101 reads as rewritten:

7 **"§ 18B-101. Definitions.**

8 As used in this Chapter, unless the context requires otherwise:

9 ...

10 (12a) "Premises" means all areas, whether inside or outside the licensed premises,  
11 where the permittee has control of the property through a lease, deed, or  
12 other legal process.

13 (12b) "Powdered alcohol" means any powder or crystalline substance capable of  
14 being converted into a liquid alcoholic beverage fit for human consumption.

15 (13) "Sale" means any transfer, trade, exchange, or barter, in any manner or by  
16 any means, for consideration.

17 ...."

18 **SECTION 2.** G.S. 18B-102 is amended by adding a new subsection to read:

19 "(a1) Powdered Alcohol Prohibition. – It shall be unlawful for any person to manufacture,  
20 sell, transport, import, deliver, furnish, purchase, consume, or possess powdered alcohol."

21 **SECTION 3.** G.S. 18B-906(a) reads as rewritten:

22 "(a) Act Applies. – An ABC permit is a "license" within the meaning of G.S. 150B-2,  
23 and, except for revocation pursuant to ~~G.S. 18B-904(e)(3)~~G.S. 18B-904(e)(3), suspension  
24 pursuant to G.S. 18B-904(e)(4), or for a confirmation pursuant to G.S. 18B-900(a)(8), a  
25 Commission action on issuance, suspension, or revocation of an ABC permit, other than a  
26 temporary permit issued under G.S. 18B-905, is a "contested case" subject to the provisions of  
27 Chapter 150B except as provided in this section."

28 **SECTION 4.** G.S. 150B-38(a) is amended by adding a new subdivision to read:

29 "(7) The Alcoholic Beverage Control Commission."

30 **SECTION 5.** Sections 1 and 2 of this act are effective when this act becomes law.

31 The remainder of this act becomes effective May 1, 2015.

