

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 773  
Committee Substitute Favorable 4/25/17

Short Title: ABC Sales/Sports & Entertainment Venues.

(Public)

Sponsors:

Referred to:

April 13, 2017

1 A BILL TO BE ENTITLED  
2 AN ACT TO REVISE THE ABC LAWS GOVERNING THE SALE OF ALCOHOLIC  
3 BEVERAGES AT SPORTS AND ENTERTAINMENT VENUES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 18B-1000 reads as rewritten:

6 "**§ 18B-1000. Definitions concerning establishments.**

7 The following requirements and definitions shall apply to this Chapter:

8 ...

9 (11) Sports and entertainment venue. – Stadiums, ballparks, and other similar  
10 facilities with a permanently constructed seating capacity of 3,000 or more  
11 which are not located on the campus of a school, college, or university."

12 **SECTION 2.** G.S. 18B-1001 reads as rewritten:

13 "**§ 18B-1001. Kinds of ABC permits; places eligible.**

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

16 (1) On-Premises Malt Beverage Permit. – An on-premises malt beverage permit  
17 authorizes (i) the retail sale of malt beverages for consumption on the  
18 premises, (ii) the retail sale of malt beverages in the manufacturer's original  
19 container for consumption off the premises, and (iii) the retail sale of malt  
20 beverages in a cleaned, sanitized, resealable container that is filled or refilled  
21 and sealed for consumption off the premises and that identifies the permittee  
22 and the date the container was filled or refilled. It also authorizes the holder  
23 of the permit to ship malt beverages in closed containers to individual  
24 purchasers inside and outside the State. The permit may be issued for any of  
25 the following:

- 26 a. Restaurants;  
27 b. Hotels;  
28 c. Eating establishments;  
29 d. Food businesses;  
30 e. Retail businesses;  
31 f. Private clubs;  
32 g. Convention centers;  
33 h. Community theatres;  
34 i. Breweries as authorized by G.S. 18B-1104(7) and ~~(8)~~-(8);  
35 j. Sports and entertainment venues.

36 ...



\* H 7 7 3 - V - 2 \*

1 (3) On-Premises Unfortified Wine Permit. – An on-premises unfortified wine  
2 permit authorizes (i) the retail sale of unfortified wine for consumption on  
3 the premises, either alone or mixed with other beverages, (ii) the retail sale  
4 of unfortified wine in the manufacturer's original container for consumption  
5 off the premises, and (iii) the retail sale of unfortified wine dispensed from a  
6 tap connected to a pressurized container utilizing carbon dioxide or similar  
7 gas into a cleaned, sanitized, resealable container that is filled or refilled and  
8 sealed for consumption off the premises and that identifies the permittee and  
9 the date the container was filled or refilled. The permit also authorizes the  
10 permittee to transfer unfortified wine, not more than four times per calendar  
11 year, to another on-premises unfortified wine permittee that is under  
12 common ownership or control as the transferor. Except as authorized by this  
13 subdivision, transfers of wine by on-premises unfortified wine permittees,  
14 purchases of wine by a retail permittee from another retail permittee for the  
15 purpose of resale, and sale of wine by a retail permittee to another retail  
16 permittee for the purpose of resale are unlawful. In addition, a particular  
17 brand of wine may be transferred only if both the transferor and transferee  
18 are located within the territory designated between the winery and the  
19 wholesaler on file with the Commission. Prior to or contemporaneous with  
20 any such transfer, the transferor shall notify each wholesaler who distributes  
21 the transferred product of the transfer. The notice shall be in writing or  
22 verifiable electronic format and shall identify the transferor and transferee,  
23 the date of the transfer, quantity, and items transferred. The holder of the  
24 permit is authorized to ship unfortified wine in closed containers to  
25 individual purchasers inside and outside the State. Orders received by a  
26 winery by telephone, Internet, mail, facsimile, or other off-premises means  
27 of communication shall be shipped pursuant to a wine shipper permit and not  
28 pursuant to this subdivision. The permit may be issued for any of the  
29 following:

- 30 a. Restaurants;  
31 b. Hotels;  
32 c. Eating establishments;  
33 d. Private clubs;  
34 e. Convention centers;  
35 f. Cooking schools;  
36 g. Community theatres;  
37 h. Wineries;  
38 i. ~~Wine producers~~ producers;  
39 j. Sports and entertainment venues.

40 ...  
41 (10) Mixed Beverages Permit. – A mixed beverages permit authorizes the retail  
42 sale of mixed beverages for consumption on the premises. The permit also  
43 authorizes a mixed beverages permittee (i) to obtain a  
44 purchase-transportation permit under G.S. 18B-403 and 18B-404, (ii) to  
45 obtain an antique spirituous liquor permit under subdivision (20) of this  
46 section, and (iii) to use for culinary purposes spirituous liquor lawfully  
47 purchased for use in mixed beverages. The permit may be issued for any of  
48 the following:

- 49 a. Restaurants;  
50 b. Hotels;  
51 c. Private clubs;

- 1 d. Convention centers;
- 2 e. Community theatres;
- 3 f. Nonprofit organizations; and
- 4 g. ~~Political organizations.~~ Political organizations;
- 5 h. Sports and entertainment venues.

6 ...."

7 **SECTION 3.** This act is effective when it becomes law.