

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

SESSION LAW 1997-467
HOUSE BILL 1108

AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION
TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-307 reads as rewritten:

"§ 18B-307. Manufacturing offenses.

(a) Offenses. — It shall be unlawful for any person, except as authorized by this Chapter, to:

- (1) Sell or possess equipment or ingredients intended for use in the manufacture of any alcoholic ~~beverage;~~ beverage, except equipment and ingredients provided under a Brew on Premises permit; or
- (2) Knowingly allow real or personal property owned or possessed by him to be used by another person for the manufacture of any alcoholic ~~beverage;~~ beverage, except pursuant to a Brew on Premises permit.

(b) Unlawful Manufacturing. — Except as provided in G.S. 18B-306, it shall be unlawful for any person to manufacture any alcoholic ~~beverage;~~ beverage, except at an establishment with a Brew on Premises permit, without first obtaining the applicable ABC permit and revenue licenses.

(c) Second Offense of Manufacturing. — A second offense of unlawful manufacturing of alcoholic beverage shall be a Class I felony."

Section 2. G.S. 18B-902(d), as amended by S.L. 1997-134, reads as rewritten:

"(d) Fees. — An application for an ABC permit shall be accompanied by payment of the following application fee:

- (1) On-premises malt beverage permit — \$200.00.
- (2) Off-premises malt beverage permit — \$200.00.
- (3) On-premises unfortified wine permit — \$200.00.
- (4) Off-premises unfortified wine permit — \$200.00.
- (5) On-premises fortified wine permit — \$200.00.
- (6) Off-premises fortified wine permit — \$200.00.
- (7) Brown-bagging permit — \$200.00, unless the application is for a restaurant seating less than 50, in which case the fee shall be \$100.00.
- (8) Special occasion permit — \$200.00.
- (9) Limited special occasion permit — \$25.00.

- (10) Mixed beverages permit — \$750.00.
- (11) Culinary permit — \$100.00.
- (12) Unfortified winery permit — \$150.00.
- (13) Fortified winery permit — \$150.00.
- (14) Limited winery permit — \$150.00.
- (15) Brewery permit — \$150.00.
- (16) Distillery permit — \$150.00.
- (17) Fuel alcohol permit — \$50.00.
- (18) Wine importer permit — \$150.00.
- (19) Wine wholesaler permit — \$150.00.
- (20) Malt beverage importer permit — \$150.00.
- (21) Malt beverage wholesaler permit — \$150.00.
- (22) Bottler permit — \$150.00.
- (23) Salesman permit — \$25.00.
- (24) Vendor representative permit — \$25.00.
- (25) Nonresident malt beverage vendor permit — \$50.00.
- (26) Nonresident wine vendor permit — \$50.00.
- (27) Any special one-time permit under G.S. 18B-1002 — \$25.00.
- (28) Winery special event permit — \$100.00.
- (29) Mixed beverages catering permit — \$100.00.
- (30) Guest room cabinet permit — \$750.00.
- (31) Liquor importer/bottler permit — \$250.00.
- (32) Cider and vinegar manufacturer permit — \$100.00.
- (33) Brew on premises permit — \$200.00."

Section 3. G.S. 18B-1001 is amended by adding a new subdivision to read:

"(14) Brew on Premises Permit. — A permit may be issued to a business, located in a jurisdiction where the sale of malt beverages is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to brew malt beverages for personal use in amounts set forth in 27 C.F.R. § 25.205. The customer must do all of the following:

- a. Select a recipe and kettle.
- b. Weigh out the proper ingredients and add them to the kettle.
- c. Transfer the wort to the fermenter.
- d. Add the yeast.
- e. Place the ingredients in a fermentation room.
- f. Filter, carbonate, and bottle the malt beverage.

A permittee may transfer the ingredients from the fermentation room to the cold room and may assist the customer in all the steps involved in brewing a malt beverage except adding the yeast. A malt beverage produced under this subdivision may not contain more than six percent (6%) alcohol by volume."

Section 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21st day of August, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 4:15 p.m. this 1st day of September, 1997