GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017

S SENATE BILL 604

Short Title:	Homemade Alcoholic Beverage Tasting Permit.	(Public)
Sponsors:	Senator Sanderson (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 5, 2017

A BILL TO BE ENTITLED
AN ACT TO REVISE THE LAWS GOVERNING ORGANIZED AFFAIRS, EXHIBITIONS,
AND COMPETITIONS WHERE CERTAIN HOMEMADE ALCOHOLIC BEVERAGES
ARE OFFERED FOR CONSUMPTION FREE OF CHARGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-902(d) reads as rewritten:

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

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(44) Homemade alcoholic beverage competition and tasting permit. – \$50.00." **SECTION 2.** G.S. 18B-1001 reads as rewritten:

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

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

- (1) On-Premises Malt Beverage Permit. An on-premises malt beverage permit authorizes (i) the retail sale of malt beverages for consumption on the premises, (ii) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises, and (iii) the retail sale of malt beverages in a cleaned, sanitized, resealable container that is filled or refilled and sealed for consumption off the premises and that identifies the permittee and the date the container was filled or refilled. It also authorizes the holder of the permit to host on the permittee's licensed premises, in a part of the premises not open to the general public, homebrew club meetings or events where homemade malt beverages may be consumed by participants of legal age in the meeting or event. It also authorizes the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:
 - a. Restaurants: Restaurants.
 - b. Hotels; Hotels.
 - c. Eating establishments; establishments.
 - d. Food businesses;businesses.
 - e. Retail businesses;businesses.
- f. Private clubs;clubs.
 - g. Convention centers; centers.
 - h. Community theatres; theatres.
- i. Breweries as authorized by G.S. 18B-1104(7) and (8).



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- (8) Special Occasion Permit. A special occasion permit authorizes the host of a reception, party or other special occasion, with the permission of the permittee, to bring fortified wine andwine, spirituous liquorliquor, and donated homemade malt beverages, meads, wines, and fermented fruit juices onto the premises of the business and to serve the same to his guests. The permit may be issued for any of the following:
 - a. Restaurants; Restaurants.
 - b. Hotels: Hotels.
 - c. Eating establishments; establishments.
 - d. Private clubs; clubs.
 - e. Convention centers.
 - <u>f.</u> <u>Nonprofit organizations.</u>
- (9) Limited Special Occasion Permit. A limited special occasion permit authorizes the permittee to bring fortified wine and wine, spirituous liquorliquor, and donated homemade malt beverages, meads, wines, and fermented fruit juices onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, party, or other special occasion being held there. The permit also authorizes the permittee to engage in the activities authorized under subdivision (21) of this section, subject to the same conditions listed in that subdivision. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.
- (21) Homemade alcoholic beverage competition and tasting permit. A permit under this subdivision may be issued to a nonprofit organization. Subject to all of the following conditions, the permit holder may host on the permittee's licensed premises an organized affair, exhibition, or competition, where the licensee, or the licensee's employee or agent, may serve for consumption on the licensed premises homemade alcoholic beverages:
 - <u>a.</u> Any person pouring the homemade alcoholic beverage shall be at least 21 years of age.
 - b. The person pouring the homemade alcoholic beverage shall be responsible for checking the identification of patrons being served at the event.
 - c. The consumer shall not be charged for any homemade alcoholic beverages served.
 - d. The consumer may be charged a fee for admission to the organized affair, exhibition, or competition, but proceeds from any fee charged shall not be used to purchase, or cover the costs incurred from making, the homemade alcoholic beverages.
 - e. Homemade alcoholic beverages are not to be offered to, or allowed to be consumed by, any person under the legal age for consuming alcoholic beverages.

The homemade alcoholic beverage competition and tasting permit holder shall be solely liable for any violations of this Chapter occurring in connection with the organized affair, exhibition, or competition. The Commission shall adopt rules to assure that the tastings authorized under this

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SECTION 4. This act becomes effective July 1, 2017.

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in effect until permanent rules that replace the temporary rules become effective.