

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 404
SENATE BILL 293

AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS
LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE
WILMINGTON AND MOREHEAD CITY PORTS.

The General Assembly of North Carolina enacts:

Section 1. Article 11 of Chapter 18B of the General Statutes is amended by adding a new section to read:

"§ 18B-1105.1. Authorization of liquor importer/bottler permit.

The holder of a liquor importer/bottler permit may:

- (1) Receive spirituous liquor in closed containers into foreign trade zones at the State Port facilities in Morehead City and Wilmington from ships docked at the State Port facilities for the purpose of bottling, packaging, or labeling.
- (2) Bottle, package, or label in this State spirituous liquor imported or received into a foreign trade zone pursuant to this section.
- (3) Receive spirituous liquor in closed containers into the foreign trade zones at the State Port facilities in Morehead City and Wilmington from ships docked at the State Port facilities for storage, sale, shipment, and transshipment to the State or a local ABC board warehouse or, subject to the laws of other jurisdictions, to private or public agencies or establishments of other states or nations.
- (4) Subject to the record-keeping requirements of G.S. 18B-1115, transport into or out of the foreign trade zones at the State Port facilities in Morehead City and Wilmington, the maximum amount of liquor allowed under federal law, if the transportation is related to the bottling, packaging, labeling, sale, or storage permitted by this section."

Sec. 2. 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:

- (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."

Sec. 3. G.S. 18B-1100 reads as rewritten:

"§ 18B-1100. Commercial permits.

The Commission may issue the following commercial permits:

- (1) Unfortified winery
- (2) Fortified winery
- (3) Limited winery
- (4) Brewery
- (5) Distillery
- (6) Fuel alcohol
- (7) Wine importer
- (8) Wine wholesaler
- (9) Malt beverages importer
- (10) Malt beverages wholesaler
- (11) Bottler
- (12) Salesman
- (13) Vendor representative
- (14) Nonresident malt beverage vendor
- (15) Nonresident wine vendor

- (16) Winery special show
 (17) Liquor importer/bottler permit."

Sec. 4. G.S. 105-113.74(a) reads as rewritten:

"(a) License and Tax. – A person holding any of the following commercial ABC permits shall obtain a State license for the activity authorized by the permit. The annual tax for each license is as stated.

ABC Permit	Corresponding State License	Tax
Brewery	Brewery	\$500.00
Unfortified winery	Unfortified winery	100.00
Fortified winery	Fortified winery	100.00
Distillery	Distillery	100.00
Fuel Alcohol	Fuel Alcohol	10.00
Bottler	Bottler	250.00
Malt beverage importer, wine importer, or both	Importer	150.00
Nonresident malt beverage vendor, nonresident wine vendor, or both	Nonresident vendor	150.00 or 25.00 as provided in (b) below
Malt beverage wholesaler	Malt beverage wholesaler	150.00
Wine wholesaler	Wine wholesaler	150.00
Both malt beverage wholesaler and wine wholesaler		250.00
Salesman	Salesman	12.50
Vendor representative	Salesman	12.50
<u>Liquor importer/bottler</u>	<u>Liquor importer/bottler</u>	<u>250.00"</u> .

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 11th day of July, 1995.

Dennis A. Wicker
 President of the Senate

Harold J. Brubaker
 Speaker of the House of Representatives