

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 842  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30380-ML-153 (03/15)

Short Title: Spirituous Liquor Sales-Distilleries. (Public)

Sponsors: Representatives J. Bell, Moffitt, B. Brown, and G. Graham (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW DISTILLERIES IN NORTH CAROLINA TO SELL TO PATRONS  
3 WHO HAVE PARTICIPATED IN A TOUR OF A DISTILLERY AT RETAIL  
4 SPIRITUOUS LIQUOR THAT HAS BEEN DISTILLED AT THE LICENSED  
5 DISTILLERY FOR THE PRICE SET BY THE NORTH CAROLINA ALCOHOLIC  
6 BEVERAGE CONTROL COMMISSION OF THAT PARTICULAR BRAND OF SPIRIT  
7 TO INCLUDE ALL APPLICABLE EXCISE AND SALES TAXES.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 18B-1105 reads as rewritten:

10 "§ 18B-1105. Authorization of distillery permit.

11 (a) Authorized Acts. – The holder of a distillery permit may:

12 (1) Manufacture, purchase, import, possess and transport ingredients and  
13 equipment used in the distillation of spirituous ~~liquor~~; liquor.

14 (2) Sell, deliver and ship spirituous liquor in closed containers at wholesale to  
15 exporters and local boards within the State, and, subject to the laws of other  
16 jurisdictions, at wholesale or retail to private or public agencies or  
17 establishments of other states or ~~nations~~; nations.

18 (3) Transport into or out of the distillery the maximum amount of liquor allowed  
19 under federal law, if the transportation is related to the distilling process.

20 (4) In an area where the establishment of an ABC store has been approved  
21 pursuant to G.S. 18B-602(g) and at those distilleries which hold tours of the  
22 distillery and its full operation as a regular course of business, sell spirituous  
23 liquor distilled at the distillery in closed containers to patrons who  
24 participate in tours of the distillery, at retail on the premises of the distillery  
25 for consumption off the premises. Spirituous liquor sold at a distillery  
26 pursuant to this subdivision shall be sold at the price set by the Commission  
27 for that brand of spirit to include all applicable excise and sales taxes. All  
28 excise and sales taxes shall be remitted by the permittee to the Department  
29 of Revenue. Retail sales of spirituous liquor pursuant to this subdivision  
30 shall be subject to the provisions of G.S. 18B-802. Sales of spirituous liquor  
31 to a tour group on a prearranged tour of the distillery may occur between the  
32 hours of 9 A.M. and 9 P.M. on any day the sale of spirituous liquor at an  
33 ABC store is authorized by G.S. 18B-802. Sales of spirituous liquor to  
34 patrons who participate in walk-in tours shall occur only between the hours  
35 of 2 P.M. and 8 P.M. on any day the sale of spirituous liquor is authorized at  
36 an ABC store by G.S. 18B-802. With respect to spirituous liquor, a permittee



1 may sell no more than two liters per product label produced on-site by the  
2 distillery in a single business day to any patron participating in a tour. In  
3 addition to the two liters per product label produced on-site by the distillery,  
4 as authorized by this subdivision, a permittee may sell up to four 50 ml  
5 bottles of spirituous liquor in a single business day to any patron  
6 participating in a tour. The Commission shall adopt rules regulating the retail  
7 sale of spirituous liquor at distilleries.

8 (b) Distilleries for Fuel Alcohol. – Any person in possession of a Federal Operating  
9 Permit pursuant to Title 27, Code of Federal Regulations, Part 201.64 through 201.65 or Part  
10 201.131 through 201.138 shall obtain a fuel alcohol permit before manufacturing any alcohol.  
11 The permit shall entitle the permittee to perform only those acts allowed by the Federal  
12 Operating Permit, and all conditions of the Federal Operating Permit shall apply to the State  
13 permit."

14 **SECTION 2.** This act becomes effective October 1, 2013.