

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1108
Committee Substitute Favorable 5/22/97
Committee Substitute #2 Favorable 6/12/97

Short Title: Brew on Premises Permits.

(Public)

Sponsors:

Referred to:

April 21, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION
3 TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

4 The General Assembly of North Carolina enacts:

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

6 "**§ 18B-307. Manufacturing offenses.**

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

9 (1) Sell or possess equipment or ingredients intended for use in the
10 manufacture of any alcoholic ~~beverage; beverage, except equipment and~~
11 ingredients provided under a Brew on Premises permit; or

12 (2) Knowingly allow real or personal property owned or possessed by him
13 to be used by another person for the manufacture of any alcoholic
14 ~~beverage; beverage, except pursuant to a Brew on Premises permit.~~

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

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

3 Section 2. G.S. 18B-902(d) reads as rewritten:

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

6 (1) On-premises malt beverage permit – \$200.00.

7 (2) Off-premises malt beverage permit – \$200.00.

8 (3) On-premises unfortified wine permit – \$200.00.

9 (4) Off-premises unfortified wine permit – \$200.00.

10 (5) On-premises fortified wine permit – \$200.00.

11 (6) Off-premises fortified wine permit – \$200.00.

12 (7) Brown-bagging permit – \$200.00, unless the application is for a
13 restaurant seating less than 50, in which case the fee shall be \$100.00.

14 (8) Special occasion permit – \$200.00.

15 (9) Limited special occasion permit – \$25.00.

16 (10) Mixed beverages permit – \$750.00.

17 (11) Culinary permit – \$100.00.

18 (12) Unfortified winery permit – \$150.00.

19 (13) Fortified winery permit – \$150.00.

20 (14) Limited winery permit – \$150.00.

21 (15) Brewery permit – \$150.00.

22 (16) Distillery permit – \$150.00.

23 (17) Fuel alcohol permit – \$50.00.

24 (18) Wine importer permit – \$150.00.

25 (19) Wine wholesaler permit – \$150.00.

26 (20) Malt beverage importer permit – \$150.00.

27 (21) Malt beverage wholesaler permit – \$150.00.

28 (22) Bottler permit – \$150.00.

29 (23) Salesman permit – \$25.00.

30 (24) Vendor representative permit – \$25.00.

31 (25) Nonresident malt beverage vendor permit – \$50.00.

32 (26) Nonresident wine vendor permit – \$50.00.

33 (27) Any special one-time permit under G.S. 18B-1002 – \$25.00.

34 (28) Winery special event permit – \$100.00.

35 (29) Mixed beverages catering permit – \$100.00.

36 (30) Guest room cabinet permit – \$750.00.

37 (31) Liquor importer/bottler permit – \$250.00.

38 (32) Brew on Premises permit – \$200.00."

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

40 "(14) Brew on Premises Permit. – A permit may be issued to a business
41 located in a jurisdiction where the sale of malt beverages is allowed and
42 not located in a municipality in a dry county that has a population of
43 either 49,587 or 27,859 according to the 1990 United States Census,

1 where individual customers who are 21 years old or older may purchase
2 ingredients and rent the equipment, time, and space to brew malt
3 beverages for personal use in amounts set forth in 27 C.F.R. § 25.205.
4 A malt beverage produced under this subdivision may not contain more
5 than six percent (6%) alcohol by volume.

6 The customer shall:

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

13 The permittee may:

- 14 a. Assist the customer in all steps except adding the yeast; and
15 b. Transfer the ingredients from the fermentation room to the cold
16 room."

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