

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 293
Second Edition Engrossed 5/9/95

Short Title: Liquor Importer/Bottler Permit.

(Public)

Sponsors: Senators Rand and Jordan.

Referred to: Commerce

March 2, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS
3 LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE
4 WILMINGTON AND MOREHEAD CITY PORTS.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 18B-1105.1. Authorization of liquor importer/bottler permit.**

9 The holder of a liquor importer/bottler permit may:

- 10 (1) Receive spirituous liquor in closed containers into foreign trade zones at
11 the State Port facilities in Morehead City and Wilmington from ships
12 docked at the State Port facilities for the purpose of bottling, packaging,
13 or labeling.
14 (2) Bottle, package, or label in this State spirituous liquor imported or
15 received into a foreign trade zone pursuant to this section.
16 (3) Receive spirituous liquor in closed containers into the foreign trade
17 zones at the State Port facilities in Morehead City and Wilmington from
18 ships docked at the State Port facilities for storage, sale, shipment, and
19 transshipment to the State or a local ABC board warehouse or, subject

1 to the laws of other jurisdictions, to private or public agencies or
2 establishments of other states or nations.

3 (4) Subject to the record-keeping requirements of G.S. 18B-1115, transport
4 into or out of the foreign trade zones at the State Port facilities in
5 Morehead City and Wilmington, the maximum amount of liquor
6 allowed under federal law, if the transportation is related to the bottling,
7 packaging, labeling, sale, or storage permitted by this section."

8 Sec. 2. G.S. 18B-902(d) reads as rewritten:

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

- 11 (1) On-premises malt beverage permit – \$200.00.
- 12 (2) Off-premises malt beverage permit – \$200.00.
- 13 (3) On-premises unfortified wine permit – \$200.00.
- 14 (4) Off-premises unfortified wine permit – \$200.00.
- 15 (5) On-premises fortified wine permit – \$200.00.
- 16 (6) Off-premises fortified wine permit – \$200.00.
- 17 (7) Brown-bagging permit – \$200.00, unless the application is for a
18 restaurant seating less than 50, in which case the fee shall be \$100.00.
- 19 (8) Special occasion permit – \$200.00.
- 20 (9) Limited special occasion permit – \$25.00.
- 21 (10) Mixed beverages permit – \$750.00.
- 22 (11) Culinary permit – \$100.00.
- 23 (12) Unfortified winery permit – \$150.00.
- 24 (13) Fortified winery permit – \$150.00.
- 25 (14) Limited winery permit – \$150.00.
- 26 (15) Brewery permit – \$150.00.
- 27 (16) Distillery permit – \$150.00.
- 28 (17) Fuel alcohol permit – \$50.00.
- 29 (18) Wine importer permit – \$150.00.
- 30 (19) Wine wholesaler permit – \$150.00.
- 31 (20) Malt beverage importer permit – \$150.00.
- 32 (21) Malt beverage wholesaler permit – \$150.00.
- 33 (22) Bottler permit – \$150.00.
- 34 (23) Salesman permit – \$25.00.
- 35 (24) Vendor representative permit – \$25.00.
- 36 (25) Nonresident malt beverage vendor permit – \$50.00.
- 37 (26) Nonresident wine vendor permit – \$50.00.
- 38 (27) Any special one-time permit under G.S. 18B-1002 – \$25.00.
- 39 (28) Winery special event permit – \$100.00.
- 40 (29) Mixed beverages catering permit – \$100.00.
- 41 (30) Guest room cabinet permit – \$750.00.
- 42 (31) Liquor importer/bottler permit – \$250.00."

43 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	State License Tax	Corresponding	
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		

1	Vendor representative	Salesman	12.50
2	<u>Liquor importer/bottler</u>	<u>Liquor</u>	<u>importer/bottler</u>
3	<u>250.00".Sec. 5. This act is effective upon ratification.</u>		