

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH80209-RVf-4 (02/22)

Short Title: Winemaking on Premises Permit.

(Public)

Sponsors: Representative Luebke.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION
TO ISSUE PERMITS FOR 'WINEMAKING ON PREMISES' BUSINESSES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1001 is amended by adding a new subdivision to
read:

"(16) Winemaking on Premises Permit. – A permit may be issued to a business, located in a jurisdiction where the sale of unfortified wine is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to make unfortified wine for personal use in amounts set forth in 27 C.F.R. § 24.75. Except for wine produced for testing equipment or recipes and samples pursuant to this subdivision, the permit holder shall not engage in the actual production or manufacture of wine. Samples may be consumed on the premises only by a person who has a nonrefundable contract to ferment at the premises, and the samples may not exceed one ounce per sample. All wine produced at a winemaking on premises facility shall be removed from the premises by the customer, and may only be used for home consumption and the personal use of the customer."

SECTION 2. G.S. 18B-307 reads as rewritten:

"§ 18B-307. Manufacturing offenses.

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

(1) Sell or possess equipment or ingredients intended for use in the manufacture of any alcoholic beverage, except equipment and

1 ingredients provided under a Brew on Premises permit or a
2 Winemaking on Premises permit; or

3 (2) Knowingly allow real or personal property owned or possessed by him
4 to be used by another person for the manufacture of any alcoholic
5 beverage, except pursuant to a Brew on Premises permit or a
6 Winemaking on Premises permit.

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

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

13 **SECTION 3.** G.S. 18B-902(d) is amended by adding a new subdivision to
14 read:

15 "(37) Winemaking on premises permit. – \$400.00."

16 **SECTION 4.** This act is effective when it becomes law.