

Alcoholic Beverage Control

See full summary documents for additional detail

Exclude Ready-To-Drink Cocktails From Mixed Beverage Charge – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 1

Section 1 of S.L. 2024-41 (i) creates a definition for premixed cocktails and classifies premixed cocktails sold by mixed beverages permittees as mixed beverages, regardless of whether the premixed cocktails are sold in an open container or a closed container, and (ii) exempts premixed cocktails from the mixed beverages charge and the requirement to affix a mixed beverage tax stamp to those containers when sold to a mixed beverages permittee for resale.

This section became effective July 8, 2024.

Allow ABC Commission Members and Staff and Local Board Members, General Managers, and Store Managers to Sample Products – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 2

Section 2 of S.L. 2024-41 allows members and employees of the ABC Commission (Commission) to sample 0.25 ounce samples of spirituous liquor products under consideration for approval for sale in this State. The samples must be provided free of charge and do not constitute a gift. These tastings can occur on property owned by the Commission. This section also allows members of a local board and general managers and store managers of ABC stores to sample 0.25 ounce samples of spirituous liquor products under consideration for approval for sale by the local board. The samples must be provided free of charge and must not constitute a gift. These tastings can occur on property owned by the local board, but cannot be conducted in publicly accessible areas of any ABC store.

This section became effective July 8, 2024.

Local ABC Board Flexibility on Certain Holidays – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 3

Section 3 of S.L. 2024-41 allows ABC stores to open on New Year's Day, Fourth of July, and Labor Day, in the discretion of the local ABC board. ABC stores cannot open on a New Year's Day or Fourth of July that falls on a Sunday.

This section became effective July 8, 2024.

Raise Cap on Point-Of-Sale Advertising Materials, Product Displays, and Coolers – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 4

Section 4 of S.L. 2024-41 allows industry members to provide up to \$600 worth of retailer advertising specialty items and product displays per brand per year to a retail permittee or \$1,000 worth of retailer advertising specialty items and product displays per brand per year to a local board. This section also allows an industry member to provide branded plug-in coolers to a local board for use in an ABC store up to a value of \$1,500 per brand per year, separate from the \$1,000 allowed for retailer advertising specialty items.

This section became effective July 8, 2024.

Allow To-Go and Delivery Sales of Mixed Beverages and Wine by the Glass – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 5

Section 5 of S.L. 2024-41 allows a restaurant, hotel, private club, bar, brewery, winery, or distillery that holds an on-premises unfortified wine permit, on-premises fortified wine permit, or a mixed beverages permit to sell single-serving unfortified wine drinks, single-serving fortified wine drinks, or mixed beverages, respectively, for consumption off the premises, including delivery by either the mixed beverages permittee or a delivery service permittee. A single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage sold for consumption off the premises must be sold with food, and must be packaged in a container not to exceed 24 fluid ounces, with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap. The transportation of a single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage in a motor vehicle is allowed if the container continues to be sealed. The sale of more than two single-serving unfortified wine drinks or fortified wine drinks or one mixed beverage drink at one time is allowed if the mixed beverage drinks are sold for delivery or consumption off the permittee's premises.

No single-serving unfortified wine drink or mixed beverage ordered for off premises consumption can be provided to any person other than the purchaser of the beverage, except that in the case of delivery, the delivery service permittee can provide the beverage to a person other than the purchaser if the permittee verifies that the person is over 21 years of age using age verification software requiring the recipient to provide a form of photo ID.

This section became effective July 8, 2024.

Allow Mixed Beverage Permittees to Purchase Spirituous Liquor from Any Designated ABC Store in the Same County and Modify Eligibility for Small Towns to Hold Alcohol Elections – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 6

Section 6 of S.L. 2024-41 does all of the following:

- Allows a mixed beverage permittee to purchase spirituous liquor from any ABC board operating in the same county as the permittee. The purchase still must be made at an ABC store the board has designated to serve mixed beverages permittees.
- Allows a city to hold a malt beverage or unfortified wine election if it has a population of at least 400 according to the most recent census.
- Allows a city to hold a mixed beverage election if it has at least 200 registered voters.

This section is retroactively effective November 1, 2022, and applies to elections conducted on or after that date.

Allow Mixed Beverage Permittees to Cover Mixed Beverage Tax Stamps with Clear Adhesive – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 7

Section 7 of S.L. 2024-41 codifies a prohibition on destroying, altering, or defacing a tax stamp, but clarifies that covering the tax stamp with a clear adhesive is allowed.

This section became effective July 8, 2024.

Special Purchase Allowance Modification – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 8

Section 8 of S.L. 2024-41 requires the ABC Commission to notify industry members and local boards at least 60 days in advance of the effective date of a retail price reduction for a spirituous liquor product, but the price reduction for local boards may only be effective for the 30 days that the retail price reduction is in effect.

This section became effective July 8, 2024.

Allow ABC Stores to Sell Value-Added Products, Gift Cards, and Barrels – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 9

Section 9 of S.L. 2024-41 does all of the following:

- Allows ABC stores to sell branded consumer specialty items such as bottle or can openers, cork screws, muddlers, ashtrays, shopping bags, individual can coolers, drinking glasses, clothing, or key chains that are packaged with a spirituous liquor product. A branded consumer specialty item does not include a tobacco, vapor, or hemp product or tobacco, vapor, or hemp paraphernalia.
- Allows the Commission to approve the retail price for a spirituous liquor product packaged by the producer with one or more branded specialty items at a different price than an individual bottle of the same spirituous liquor product. A local board cannot remove a spirituous liquor product packaged by the producer with one or more branded specialty items from the package.
- Allows ABC stores to sell physical or electronic gift cards. Gift cards can be sold online, and electronic gift cards can be delivered digitally to the purchaser. A gift card can be purchased or redeemed only by a customer 21 years of age or older, and can be redeemed at any ABC store operated by the local board from which the gift card was purchased.
- Allows an ABC store to sell empty barrels or parts of barrels received from a distiller in which spirituous liquors were aged, provided that the local board also purchased the spirituous liquor aged in the barrel.

This section became effective July 1, 2024.

Allow Local Boards to Sell Products Below the Distiller's Price – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 10

Section 10 of S.L. 2024-41 allows the ABC Commission to authorize a local board to sell spirituous liquors below the price paid by the local board, including the bailment charge and surcharge, upon request from the local board. The Commission must verify that allowing the price reduction would not cause the local board to operate at an annual net loss or, if the local board was already operating at a loss, would not cause the local board to incur additional annual net revenue losses.

This section also allows a distillery to request to be notified if its products are authorized for pricing below the distiller's price pursuant to this section. In that case, the distillery has the right of first refusal to purchase back its products at the reduced price for two days before the retail price is reduced for consumers.

This section became effective July 8, 2024.

Amend Eligibility for Alcoholic Beverage Sales on Trains – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 11

Section 11 of S.L. 2024-41 allows malt beverages, unfortified wine, and fortified wine to also be sold and delivered to an officer or agent of a rail line that is at least 100 miles long and connects to the national rail network.

This section became effective on July 8, 2024. However, an identical provision was enacted as Section 23 of S.L. 2024-15, and that section became effective on June 27, 2024, so the substance of this provision has been effective since that date.

Allow Sale of Two Mixed Beverages at Spirituous Liquor Special Events – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 12

Section 12 of S.L. 2024-41 allows the holder of a spirituous liquor special event permit to sell two mixed beverages to a customer in a calendar day.

This section became effective July 8, 2024.

Transition Period for ABC Permittee Ownership; Safe Harbor and Late Renewal Fees; Clarification Regarding Transfer of a Permitted Establishment to a Trust; and Temporary Permit Changes – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 13

Section 13 of S.L. 2024-41 makes all of the following ABC permitting changes:

- Provides that after 90 days, a temporary permit is deemed to have been issued as a full permit.
- Establishes a safe harbor period lasting until June 1 of each year, during which applicants may renew their permits late for a late fee of 25% of the renewal application fee or registration and inspection fee. The ABC Commission must notify permittees whose renewal fees have not been paid no later than five business days after April 30.
- Provides that it does not constitute a change in ownership resulting in expiration of permits if a person transfers an ownership interest in a permitted establishment to a revocable or irrevocable trust established by the person and the person continues to operate the establishment following the transfer. If the person ceases to operate the establishment, this would constitute a change in ownership and the trustee would be required to notify the Commission within 30 days.
- Clarifies that the transition period after a change in ownership of a permitted establishment allows the new owner to purchase malt beverages, unfortified wine, or fortified wine to be resold for on premises or off premises consumption, or spirituous liquor for use in mixed beverages sold by the establishment, as applicable under the permit.
- Clarifies that Commission must not require any documentation besides the written or electronic notice to satisfy the notice requirement.
- Clarifies that the prior permittee is not liable for any acts or omissions of the new owner of the establishment during the transition period.
- Allows the new owner to submit an affidavit stating that the new owner has applied for local government approvals required for a permit application if the new owner has not

received those approvals within the 60-day period allowed for the new owner to apply for permits.

- Clarifies that the new owner is authorized to operate to the same extent as the predecessor permittee until the Commission either issues or denies the new owner's permit application.
- Provides that withdrawal by the Commission of a pending application by a permittee possessing a temporary permit is effective upon service of notice of the withdrawal, or upon the expiration of five business days after notice of the withdrawal has been mailed to the permittee.
- Provides that revocation of a temporary permit is effective upon the expiration of five business days after notice of the revocation has been mailed to the permittee.

This section became effective July 8, 2024.

Make Technical Corrections Related to Bars and Allow Malt Beverages to be Mixed with Other Beverages – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 14

Section 14 of S.L. 2024-41 (i) makes technical corrections to the definition of "bar" enacted in 2022 and (ii) clarifies that an on-premises malt beverages permit allows the retail sale of malt beverages for consumption on the premises, either alone or mixed with other beverages. A similar provision already existed for on-premises unfortified wine permits.

This section became effective July 8, 2024.

Establish Malt Beverage Shop Permit – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 15

Section 15 of S.L. 2024-41 creates a malt beverage shop permit with the same privileges as a wine shop permit, except for businesses whose primary purpose is selling malt beverages for consumption off the premises and regularly and customarily educating consumers through tastings, classes, and seminars about the selection, serving, and storing of malt beverages. The permit costs \$100 but the annual renewal fee is \$500.

This section became effective July 8, 2024.

Establish Two New Permits and Regulate Alcohol at Adult Live Entertainment Businesses – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 16

Section 16 of S.L. 2024-41 creates two new ABC permits:

- A cotenant permit, with a fee of \$50.00, which can be issued to a restaurant that occupies the same building as another ABC permittee, provided that the building has no other tenants and the building does not have a common area that is open to the public but not part of the premises of one of the two permittees. The permit authorizes the permittee to allow customers to bring open containers of malt beverages, unfortified wine, fortified wine, or mixed beverages from the premises of the other ABC permittee who occupies the same building onto the premises of the permit holder.
- A bring your own beverage permit, with a fee of \$100.00, which can be issued to an adult live entertainment business. This permit authorizes the permittee to allow patrons to bring closed containers of malt beverages and unfortified wine onto the premises and consume the malt beverages and unfortified wine on the premises.

This section also makes it unlawful to consume, or to allow the consumption of, alcoholic beverages at any adult live entertainment business except pursuant to one or more ABC permits allowing the sale or consumption of alcohol.

This section became effective July 1, 2024.

Establish Mobile Bar Services Permit – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 17

Section 17 of S.L. 2024-41 creates a mobile bar services permit, with a fee of \$500, that can be issued to a business that provides bartending services for events. The permit authorizes the permittee to bring malt beverages, unfortified wine, fortified wine, and spirituous liquor onto the premises of a business that is not an ABC permittee and to serve the alcoholic beverages to guests at the event.

The permittee can purchase beer and unfortified wine from either a retailer or a beer and wine wholesaler, fortified wine from an ABC store or a wine wholesaler, and spirituous liquor from a designated mixed beverage ABC store operated by any local board operating in the same county where the permittee's principal office is located. The mixed beverage charge of \$20.00 on each four liters of spirituous liquor sold to a mixed beverages permittee also applies to spirituous liquor sold to a mobile bar services permittee. A mobile bar services permittee must also have a recycling plan for recyclable beverage containers of all beverages to be served at an event pursuant to a mobile bar services permit.

A limited special occasion permit is not required for an event at which alcoholic beverages are exclusively provided by the holder of a mobile bar services permit. The permittee can bring alcoholic beverages onto the premises and serve them at an event regardless of whether there is a charge or fee for guests to attend the event.

This permit does not allow the retail sale of individual alcoholic beverages to guests at an event.

This section became effective July 1, 2024.

Community Theatre Clarification – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 18

Section 18 of S.L. 2024-41 broadens the definition of "community theatre" for purposes of ABC permitting to include performing arts events besides amateur or professional theatrical events.

This section became effective July 8, 2024.

Require Alcohol Law Enforcement to Notify Permit Holder of Violations – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 19

Section 19 of S.L. 2024-41 requires that, if an alcohol law enforcement (ALE) agent or local ABC officer issues a citation to an employee of a permitted establishment who is not the named permit holder, for violations of criminal law or the ABC laws occurring on the premises, the agent or officer must notify the permit holder by certified mail or electronic means within five business days. If the ABC Commission receives a report from a law enforcement agency other than the ALE Division or a local ABC officer documenting violations occurring at a permitted establishment, the Commission must notify the permittee of the report within five business days.

This section became effective September 1, 2024, and applies to violations occurring on or after that date.

Establish Distillery Estate Districts – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 20

Section 20 of S.L. 2024-41 defines a "distillery estate district" to mean a tract of real property or multiple contiguous or adjacent tracts of real property, separated only by a river, lake, or public or private road, on which a distillery, a winery, and at least three other establishments holding mixed beverages permits are located. Each of the permitted establishments must be under common ownership and control.

A mixed beverages permittee located in a distillery estate district that is under common ownership and control with the distillery may sell spirituous liquor produced at the distillery located in the distillery estate district in mixed beverages as if it were being sold at the distillery, and the spirituous liquor is not required to pass through the State warehouse.

A distillery located in the distillery estate district may conduct consumer tastings of spirituous liquor produced at the distillery anywhere in the distillery estate district.

On- and off-premises unfortified wine permittees located in the distillery estate district that are under common ownership and control with the distillery may also sell bottles of spirituous liquor produced at the distillery at retail for consumption off the premises as if those bottles were being sold in the distillery following a tour.

This section became effective July 1, 2024.

Wholesaler Distribution Centers – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 21

Section 21 of S.L. 2024-41 allows the holder of a wine importer, malt beverage importer, or spirituous liquor importer/bottler permit to receive wine, malt beverages, or spirituous liquor, respectively, into the State for storage, sale, shipment, or transshipment to entities in other states or nations, or to the State warehouse.

This section became effective July 8, 2024.

Establish Catawba Indian Nation Tribal Alcoholic Beverage Control Commission – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 22

Section 22 of S.L. 2024-41 authorizes the Catawba Indian Nation to operate a tribal ABC commission and regulate alcoholic beverages on its tribal lands in North Carolina to the same extent as the Eastern Band of Cherokee Indians may do on its tribal lands.

This section became effective July 8, 2024.

Cap the Tax on Qualifying Spirituous Liquor Purchases – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 23

Section 23 of S.L. 2024-41 caps the amount of sales and use tax payable on the purchase of a single container of spirituous liquor the purchase price of which is equal to or greater than \$50,000. In order to effectuate this cap administratively, a purchaser must either apply to the Department of Revenue for a direct pay permit and pay the tax directly to the Secretary, or the seller may voluntarily collect the tax on behalf of the purchaser.

This section becomes effective January 1, 2025, and applies to purchases occurring on or after that date.

Direct ABC Commission to Expand Premises to Cover Certain Contiguous Properties – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 24

Section 24 of S.L. 2024-41 directs the ABC Commission to treat multiple parcels with different addresses as a single premises if the parcels meet all the following conditions:

- Each parcel is connected to one or more other parcels such that the parcels share a single perimeter.
- The parcels are under common ownership or control, as evidenced by deed, lease, or management agreement.
- Access between the buildings on the parcels is available to customers without requiring customers to enter the public street or sidewalk.

This section became effective July 8, 2024.

Authorize Home Maker Organizations to Give Samples at Events – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 25

Section 25 of S.L. 2024-41 establishes a home maker special event permit, with a fee of \$50, that may be issued to a home maker club devoted to the home production of malt beverages or wine. The club must have a general liability insurance policy in the amount of at least \$1 million in order to qualify for a permit.

The permit authorizes the home maker club to offer free tastings of homemade malt beverages and wines on the premises of retail ABC establishments, at shopping malls, and at events such as trade shows, conventions, and street festivals. There are several limitations on consumer tastings of homemade products, including:

- The permit holder must provide the Commission a list of homemade products to be offered at the consumer tastings at least 24 hours before the start of the consumer tasting event. For a consumer tasting occurring on the premises of a retail ABC permittee, the home maker club must also provide this list to the permittee.
- Homemade products must be labeled with the maker's name and telephone number, the alcohol by volume, and the statement "Homemade product for consumer tasting."
- Each consumer is limited to six tasting samples containing one ounce of any homemade product made available for sampling at the consumer tasting, and the total amount of the tasting samples offered to and consumed by each consumer must not exceed six ounces in any calendar day.
- The permit holder or members of the permitted home maker club must not charge a consumer for any tasting sample or for entry to the consumer tasting.
- Each consumer participating in a consumer tasting must provide his or her name, telephone number, email address, and the date of the consumer tasting.

This section becomes effective October 1, 2024.

Allow Private Club Franchises to Receive ABC Permits Immediately if Franchisor Has Been in Operation for at Least 12 Months – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 26

Section 26 of S.L. 2024-41 allows an establishment that (i) qualifies under Section 501(c) of the Internal Revenue Code and (ii) is a franchisee of a franchisor that is permitted as a private club that has been in operation for 12 months, to receive an ABC permit without having been in operation for 12 months itself.

This section became effective July 8, 2024, and applies to applications for permits received by the Commission on or after that date.

Common Area Entertainment Permit Clarifying Change – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 27

Section 27 of S.L. 2024-41 clarifies that a single designated consumption area designated by the holder of a common area entertainment permit may include both indoor and outdoor common areas, such that a patron could carry an alcoholic beverage from the indoor common area to the outdoor common area or vice versa.

This section became effective July 8, 2024.

Allow 90 Days for Alcohol Seller/Server Training Providers to Update Courses – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 28

Section 28 of S.L. 2024-41 gives ABC Commission-approved providers of alcohol seller/server training 90 days to update their course content, rather than 30 days, when the Commission provides notice that changes to the training curriculum are needed to reflect changes in current ABC laws or rules.

This section became effective July 8, 2024.

Allow Sale of Beer and Wine at Community College Sporting Events – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 29

Section 29 of S.L. 2024-41 allows community colleges to be included in the definition of "public college or university," for purposes of ABC permitting, which will allow the sale of beer and wine at community college stadiums, athletic facilities, or arenas. This section also repeals a provision

that narrowly allows the sale of alcoholic beverages at certain community colleges during professional sporting events, because those sales will be allowed under this more general provision.

This section became effective July 8, 2024.

Allow a Local Board to Contract with a Third-Party Vendor to Transport Spirituous Liquor from the Board's Warehouse to the Board's ABC Stores – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 30

Section 30 of S.L. 2024-41 allows a local board to contract with an independent contractor to provide delivery of its spirituous liquor from the local board's warehouse to its ABC stores, provided the contract meets several terms specified in this section. This section also defines the term "contract carrier" and directs the Commission to amend its rules to replace the term "motor vehicle carrier" with "contract carrier" and, in the Commission's discretion, further define the term "contract carrier."

This section became effective July 8, 2024.

Allow Possession and Consumption of Alcoholic Beverages in the Security-Screened Area of Airports – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 31

Section 31 of S.L. 2024-41 allows the consumption of malt beverages, unfortified wine, fortified wine, and mixed beverages sold by a permitted establishment throughout the Transportation Security Administration-screened portion of the establishment's respective airport terminal. A beverage sold for consumption throughout the airport terminal must be served in a container that is not made of glass, does not hold more than 16 fluid ounces, and displays the statement "Drink Responsibly – Be 21." This section applies only to airports that service airplanes boarding at least 150,000 passengers annually.

This section became effective July 8, 2024.

Modify Trade Practice Laws – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 32

Section 32 of S.L. 2024-41 makes it unlawful for a manufacturer, bottler, or wholesaler of alcoholic beverages to provide draft line cleaning services to an alcoholic beverage retailer unless the retailer pays the fair market value for such services.

This section becomes effective January 1, 2025.

Amend the Definition of "Sports Club" to Include Pickleball – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 33

Section 33 of S.L. 2024-41 allows an establishment to qualify as a sports club for purposes of ABC permitting if, rather than an 18-hole golf course or two or more tennis courts, the establishment is in the business of providing four or more pickleball courts.

This section became effective July 8, 2024.

Permanently Allow Fifteen-Year-Olds to Work in ABC-Permitted Establishments – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 34

Section 34 of S.L. 2024-41 permanently allows 15-year-olds to work inside an ABC permitted premises that allows on-premises consumption. They cannot work in a role involving the preparation, serving, dispensing, or sale of alcoholic beverages, except for sale of alcoholic beverages at the point-of-sale for only off-premises consumption.

This section became effective July 8, 2024.

Clarify Due Date of Returns/Tax and Clarify When Excise Taxes for Alcoholic Beverages Must Be Paid – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 35

Section 35 of S.L. 2024-41 clarifies the due dates for returns and payment of alcohol excise tax, clarifies that certain reports must be submitted even if tax is not due, and allows the Department of Revenue to request a copy of an agreement between breweries or wineries and their wholesalers transferring the remittance obligation to the wholesaler.

This section, as included in this act, became effective July 8, 2024. However, the identical provision was enacted in Section 3.1 of S.L. 2024-28, which became effective July 1, 2024. Therefore, as a practical matter 3.1 of S.L. 2024-28 this section became effective July 1, 2024.

Cigar Bar Amendments – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 36

Section 36 of S.L. 2024-41 clarifies that the ABC Commission cannot consider whether a cigar bar may allow smoking indoors in deciding whether to issue an ABC permit to the cigar bar. Additionally, this section revises where cigar bars can be located as follows:

- A cigar bar that serves prepared food must be in a freestanding structure occupied solely by the cigar bar and smoke from the cigar bar does not migrate into an enclosed area where smoking is prohibited.
- A cigar bar that does not serve prepared food is not required to be in a freestanding structure occupied solely by the cigar bar, provided smoke from the cigar bar does not migrate into an enclosed area where smoking is prohibited, whether or not located in the same structure.

This section became effective July 8, 2024.

Allow ATMs in ABC Stores – ABC Omnibus 2023-24.

SL 2024-41 (S527), Sec. 37

Section 37 of S.L. 2024-41 allows local boards to contract with a third party to make an ATM available in one or more of the board's ABC stores and allows the ABC stores to make the ATM available to customers if approved by the local board.

This section became effective July 8, 2024.