A BILL TO BE ENTITLED
AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE
ALCOHOLIC BEVERAGE CONTROL LAWS IN THIS STATE.

The General Assembly of North Carolina enacts:

SECTION 1. Study. – The Legislative Research Commission (LRC) shall study
revising the laws set forth in Chapter 18B of the General Statutes governing the manufacturing,
sale, possession, and consumption of alcoholic beverages in this State. The study required under
this section shall include all of the following:

(1) A comparative analysis on how the federal government and other states
regulate the manufacturing, sale, possession, and consumption of alcoholic
beverages, including how the federal government and other states regulate the
labeling of alcoholic beverages, the distribution of alcoholic beverages, and
the assortment of alcoholic beverages that may be manufactured, sold,
possessed, or consumed.

(2) A comparative analysis on how other states (i) regulate the sale of spirituous
liquor, (ii) define and regulate alcohol consumables, (iii) define and issue
permits for the manufacturing or sale of alcoholic beverages, and (iv) define
and regulate periods of the day in which alcoholic beverages may be sold for
on-premises consumption at a reduced price.

(3) All of the following:
   a. The advisability and necessity of expanding and clarifying the
definition set forth in G.S. 18B-101 for the term "premises."
   b. How to modify the process used for determining which spirituous
   liquor products may be sold in ABC stores to allow for more selection.
   c. How the process for issuing permits pursuant to Chapter 18B of the
   General Statutes can be streamlined.
   d. The feasibility and advisability of allowing malt beverages and wine
   wholesalers to offer the same payment terms the wholesalers receive
   from the manufacturing tier.
   e. The feasibility and advisability of allowing mixed beverages
   permittees the option of purchasing spirituous liquor directly from an
   in-State distillery if the local ABC board refuses to purchase spirituous
   liquor from the distillery.
   f. The feasibility and advisability of expanding the usage of signage and
   other advertising by permittees to promote the sale of alcoholic
   beverages.
g. The advisability and necessity of allowing malt beverages wholesalers to exchange a seasonal malt beverage product for another seasonal malt beverage product when the first seasonal product is about to go out of date.

h. The advisability and necessity of amending the law requiring wholesalers to serve permittees without discrimination to (i) expand it to prohibit age, race, gender, national origin, and economic discrimination and (ii) allow a permittee within a franchise territory to purchase product outside the franchise territory if the wholesaler refuses to sell to the permittee.

i. The feasibility of setting the amount of fines assessed by the Commission for violations of the ABC laws, as defined in G.S. 18B-101, based either on the value of alcohol sales made by the offending permittee or on the volume of alcohol sold by the offending permittee. The study required under this sub-subdivision shall include an examination of the opportunities and challenges arising from the implementation of either approach, the resources needed for implementing either approach, any ramifications either approach would have on the proportionality of penalties assessed on offending permittees, and any legislative changes necessary to implement either approach.

j. Any other matters the LRC deems relevant to its efforts.

SECTION 2. Report. – The LRC shall report its findings, together with any proposed legislation, to the 2022 Regular Session of the 2021 General Assembly upon its convening.

SECTION 3. Effective Date. – This act is effective when it becomes law.