



North Carolina Spirits Association

Legislative Report
April 30, 2021

Legislative committees cranked into high gear this week as each chamber pushed to have their bills heard before the May 13 crossover deadline, the date that bills must pass from one chamber to the other to remain eligible for the rest of the session. The next two weeks are expected to be very busy, with the fate of many bills yet to be decided.

While the Senate continues to work on their budget proposal, they are somewhat limited in their decision-making due to not agreeing with the House on spending targets. The state has a large amount of non-recurring money to spend this year, leading to challenging decisions regarding how to appropriate these funds.

On Monday, Governor Roy Cooper held his biennial “State of the State” address. In his speech, Governor Cooper called for more bipartisanship. He cited examples of Republicans and Democrats coming together on several COVID-19 relief packages as examples of how working across the aisle can be successful. He also reiterated his support for Medicaid expansion. This has been a topic of much debate and has been a significant sticking point with Republicans, leading to the recent two-year-long budget stalemate. The Governor also celebrated the announcement from earlier in the day that Apple selected North Carolina, specifically RTP, for a new \$1 billion campus that will create an estimated 3,000 high-paying jobs.

Citing increased vaccine rates and lower hospitalization numbers, Governor Cooper announced last week that he would be easing COVID-19 restrictions soon. This week Governor Cooper issued Executive Order 209 which laid out these new, limited restrictions. Under the Order, the statewide mask mandate is lifted for individuals when they are outdoors. Masks will still be required when in a large crowd outdoors. Schools will still have a mask requirement for students and staff. The Order allows museums, personal care businesses, and retail establishments to open at 100% capacity. Restaurants, amusement parks, fitness centers, and pools are permitted to open at 75% capacity. Movie theaters, entertainment facilities, and bars can open at 50% capacity. The curfew on alcohol sales is lifted, and the new mass gather numbers are 200 people outside and 100 people inside. The Order goes into effect on April 30 at 5 pm and will remain in effect until June 1.

The House and Senate adjourned on Thursday and will reconvene on Monday May 3.

BILLS OF INTEREST

House Bill 693, Common Carrier ABC Permit, would create a common carrier vehicle ABC permit with a \$1,000 application fee. The bill would add subdivision (22) establishing a common

carrier vehicle permit for businesses operating common carriers under a certificate of authority by the North Carolina Utilities Commission to authorize the sale or service of alcohol in the passenger area of a common carrier on journeys of 75 miles or greater and which do not end within 10 miles of where the journey starts. The bill sets out limitation on hours in which alcohol can be sold, served, or consumed. The bill provides that a permittee may not sell or serve alcoholic beverages to a passenger between the hours of 2:00 A.M. and 7:00 A.M. and a passenger may not be allowed to consume alcoholic beverages between the hours of 2:30 A.M. and 7:00 A.M. Notwithstanding G.S. 18B-1004(c) or any local ordinance, the bill provides that alcoholic beverages may be sold or consumed beginning at 10:00 A.M. on Sundays. For purposes of this subdivision, a common carrier of passengers has the same meaning as in G.S. 20-4.01(27)d. **Introduced by Representatives Moffitt, Bradford, Szoka and Martin and referred to the House ABC Committee.**

House Bill 722, Expand Allowable Growler Size, would direct the North Carolina Alcoholic Beverage Control Commission to allow growlers up to four liters. **Introduced by Representatives Moffitt, Tyson, Hanig and Hawkins.**

BILL STATUS

House Bill 322, Limit ABC License Requirements, was approved by the House ABC Committee, and is scheduled for further consideration in the House Local Government Committee.

For more information about legislation described in the legislative reports, feel free to contact me at dferrell@nexsenpruet.com or (919) 573-7421. Information is also available on the General Assembly's website: www.ncleg.gov.

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