



CHAPTER 18B

ARTICLE 3 - SALE, POSSESSION, AND CONSUMPTION

N.C.G.S. § 18B-301.

Possession and consumption of fortified wine and spirituous liquor.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-49, s. 1 — twenty-seventh act in the lineage	21 September 2026, 02:06 UTC	12b251605978936fab5f402a - 211e673c98fa02fe86f0188f - 966c72f8c14f931c

§ 18B-301(a) Possession at Home. - It shall be lawful, without an ABC permit, for any person at least 21 years old to possess for lawful purposes any amount of fortified wine and spirituous liquor at his home or a temporary residence, such as a hotel room.

§ 18B-301(b) Possession on Other Property. - It shall be lawful, without an ABC permit, for a person to possess for his personal use and the use of his guests not more than eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, at the following places:

- (1) The residence of any other person with that person's consent;
- (2) Any other property not primarily used for commercial purposes and not open to the public at the time the alcoholic beverage is possessed, if the owner or other person in charge of the property consents to that possession and consumption;
- (3) An establishment with a brown-bagging permit as defined in G.S. 18B-1001(7).

§ 18B-301(b1) Possession in a Social District or Common Area. - It shall be lawful, without an ABC permit, for a person to possess an open container of fortified wine or spirituous liquor in a social district or a designated consumption area under a common area entertainment permit in compliance with the provisions of G.S. 18B-300.1 or G.S. 18B-1001.5, respectively.

§ 18B-301(c)

Special Occasions. - It shall be lawful for a person to possess, without a permit and not for sale, any amount of fortified wine or spirituous liquor for a private party, private reception, or private special occasion, at the following places:

- (1) His home or a temporary residence, such as a hotel room;
- (2) Any other property not primarily used for commercial purposes, which is under his exclusive control and supervision, and which is not open to the public during the event;
- (3) The licensed premises of any business for which the Commission has issued a special occasions permit under G.S. 18B-1001(8), if he is the host of that private function and has the permission of the permittee.

§ 18B-301(d) Consumption. - It shall be lawful for a person to consume fortified wine and spirituous liquor in any place where it is lawful for him to possess those alcoholic beverages under subsections (a) through (c).

§ 18B-301(e) Incident to Sale. - It shall be lawful to possess fortified wine and spirituous liquor at any place, such as an ABC store, where possession is a necessary incident to lawful sale. Consumption at such a place shall be unlawful unless the establishment has a permit authorizing consumption on the premises as well as sale.

§ 18B-301(f) Unlawful Possession or Use. - As illustration, but not limitation, of the general prohibition stated in G.S. 18B-102(a), it shall be unlawful for:

- (1) Any person to consume fortified wine, spirituous liquor, or mixed beverages or to offer such beverages to another person at any of the following places:
 - a. Unless a consumer tasting authorized by G.S. 18B-1114.7 is being conducted, on the premises of an ABC store.
 - b. Upon any property used or occupied by a local board.
 - c. On any public road, street, highway, or sidewalk, unless a consumer tasting authorized by G.S. 18B-1114.7 is being conducted.
- (2) Any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages;
- (3) Any person to permit any fortified wine, spirituous liquor, or mixed beverages to be possessed or consumed upon any premises not authorized by this Chapter;

- (4) Any person to possess or consume any fortified wine, spirituous liquor, or mixed beverages upon any premises where such possession or consumption is not authorized by law, or where the person has been forbidden to possess or consume that beverage by the owner or other person in charge of the premises;
- (5) Any person to possess on any of the premises described in subsections (a) through (c) a greater amount of fortified wine or spirituous liquor than authorized by this Chapter;
- (6) Any permittee, other than a mixed beverage or culinary permittee, to possess spirituous liquor or mixed beverages on his licensed premises.
- (7) Any person to possess on his person or consume malt beverages or unfortified wine upon any property owned or leased by a local board of education and used by the local board of education for school purposes. Provided, however, the prohibition in G.S. 18B-102(a) and this subdivision shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

27 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1905	c. 498, ss. 6-8	ENACTED
02	Rev.	ss. 3526, 3534	RECODIFIED
03	C.S.	s. 3371	RECODIFIED
04	1937	c. 49, ss. 12, 16, 22	AMENDED
05	1937	c. 411	AMENDED
06	1955	c. 999	AMENDED

07	1967	c. 222, ss. 1, 8	AMENDED
08	1967	c. 1256, s. 3	AMENDED
09	1969	c. 1018	AMENDED
10	1971	c. 872, s. 1	AMENDED
11	1973	c. 1226	AMENDED
12	1977	c. 176, s. 1	AMENDED
13	1977	2nd Sess., c. 1138, ss. 8-12, 18	AMENDED
14	1979	c. 384, s. 3	AMENDED
15	1979	c. 609, s. 2	AMENDED
16	1979	c. 718	AMENDED
17	1979	c. 893, s. 10	AMENDED
18	1981	c. 412, s. 2	AMENDED
19	1981	c. 747, s. 39	AMENDED
20	1983	c. 917, s. 1	AMENDED
21	1985	c. 566, s. 1	AMENDED
22	1991	c. 459, s. 1	AMENDED
23	1993	c. 508, s. 1	AMENDED
24	1995	c. 372, s. 1	AMENDED
25	2017	S.L. 2017-87, s. 2(a)	AMENDED
26	2019	S.L. 2019-182, s. 6(b)	AMENDED
27	2022	S.L. 2022-49, s. 1	AMENDED

APPARATUS II

6 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 18B-1001(7)	(b)(3)	"a brown-bagging permit as defined in"
G.S. 18B-300.1	(b1)	"in compliance with the provisions of"
G.S. 18B-1001.5	(b1)	"the provisions of G.S. 18B-300.1 or"
G.S. 18B-1001(8)	(c)(3)	"issued a special occasions permit under"

G.S. 18B-102(a)	(f)	<i>"of the general prohibition stated in"</i>
G.S. 18B-1114.7	(f)	<i>"Unless a consumer tasting authorized by"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 18B-301 (2022).

PINPOINT

N.C. Gen. Stat. § 18B-301(a) (2022).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; c. 747, s. 39; 1983, c. 917, s. 1; 1985, c. 566, s. 1; 1991, c. 459, s. 1; 1993, c. 508, s. 1; 1995, c. 372, s. 1; 2017-87, s. 2(a); 2019-182, s. 6(b); 2022-49, s. 1.)

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