

## **Impact Analysis**

### **04 NCAC 02S .0708 TYPES OF PERMITS REQUIRED**

Alcoholic Beverage Control Commission

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Authority: G.S. 18B-100; 18B-207; 18B-301(b), (c); 18B-1001(8), (9)

Impact Summary: State Government: No

Local Government: No

Substantial Economic Impact: No

The proposed rule change would amend the rule to state that the trigger for needing to obtain a Special Occasion Permit when a commercial facility or establishment allows a private function to occur on their premises is eight liters of fortified wine or spirituous liquor instead of five liters. G.S. 18B was changed in 1993 to increase the threshold from five to eight liters. The Commission has been following the statute and not the rule since then. As a result, the impact from this change has been felt by the industry since the G.S. 18B changed, and the rule change would not create any new impact. The actual impact of this amendment is increased clarity in the Administrative Code as to what are current requirements.

## APPENDIX

04 NCAC 02S .0708 is proposed for amendment as follows:

### **04 NCAC 02S .0708      TYPES OF PERMITS REQUIRED**

The owner or operator of any commercial facility or commercial establishment renting or furnishing the premises thereof for a private function where the host of the function will possess more than ~~five~~ eight liters of fortified wine or spirituous liquor, or ~~five~~ eight liters of the two combined, shall either:

- (1) apply for and obtain a Special Occasion Permit, as required by G.S. 18B-1001(8) and G.S. 18B-902; or
- (2) require the person in charge of the private function to apply for and obtain a Limited Special Occasion Permit under the provisions of G.S. 18B-1001(9) and 18B-902.

*History Note:      Authority G.S. 18B-100; 18B-207; 18B-301(b),(c); 18B-1001(8),(9);  
Eff. July 1, 1992;  
Amended Eff. November 1, 2012.*