

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1380

Short Title: Cumberland ABC Enforcement.

(Local)

Sponsors: Representatives Hurley; Capps, Davis, Kinney, McAllister, Morris, Nye, Warner, C. Wilson, and Yongue.

Referred to: Judiciary I.

May 21, 1998

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT OFFICERS' ENTRY
INTO ABC-LICENSED PREMISES IN CUMBERLAND COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Article 5 of Chapter 18B of the General Statutes is amended by
adding a new section to read:

"§ 18B-506. Entry by other local officers.

(a) Notwithstanding any other provision of this Article, local law enforcement officers may enter any licensed premises for which an ABC permit has been issued. Officer may, pursuant to this section, enter at any time that the premises are open for business and may take enforcement action for any violation of law observed while on the premises.

(b) An entry by officers of a local law enforcement agency made pursuant to this section shall not include any of the following:

(1) An examination of the books or records of the permittee.

(2) Enforcement of ABC administrative regulations.

(3) The premises of a residential private club as defined in G.S. 18B-1000(5a), a restaurant as defined in G.S. 18B-1000(6), or a sports club as defined in G.S. 18B-1000(8).

1 (c) Refusal by a permittee or by any employee of a permittee, to allow officers to
2 enter the premises as authorized by subsection (a) of this section shall be cause for
3 revocation, suspension, or other action against the permit of the permittee as provided in
4 G.S. 18B-104. It shall be a Class 2 misdemeanor by any person to resist or obstruct an
5 officer attempting to make a lawful entry pursuant to this section."

6 Section 2. This act applies to Cumberland County only.

7 Section 3. This act is effective when it becomes law.