

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1539

State Government, Local Government, and Personnel Committee Substitute Adopted 6/17/98

State Government, Local Government, and Personnel Committee Substitute #2 Adopted 9/8/98

Short Title: Alcoholic Beverage Sales.

(Public)

Sponsors:

Referred to:

June 1, 1998

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA OR WITHIN FIFTEEN HUNDRED FEET OF A HIGH SCHOOL SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 18B of the General Statutes is amended by adding a new section to read:

§ 18B-309. Alcoholic beverage sales in Urban Redevelopment Zones and within 1,500 feet of high schools.

A food business as defined in G.S. 18B-1000(3) or a retail business as defined in G.S. 18B-1000(7) that holds an ABC permit under this Chapter and is located in a part of a city that has been designated as an Urban Redevelopment Area under Article 22 of Chapter 160A of the General Statutes or within 1,500 feet of a high school shall not have alcoholic beverage sales in excess of fifty percent (50%) of the business's total annual

1 sales. Upon request of a city, the Commission shall investigate the total annual alcohol
2 sales and total sales of a business as defined in this section. The Commission shall report
3 the results of such an investigation to the city council, and the report shall contain only
4 the percentage annual alcohol sales in proportion to the business's total annual sales. A
5 city may request an investigation of a business by the Commission only once in each
6 calendar year."

7 Section 2. G.S. 18B-904(e) reads as rewritten:

8 "(e) Business or Location No Longer Suitable. –

9 (1) The Commission may suspend or revoke a permit issued by it if, after
10 compliance with the provisions of Chapter 150B of the General Statutes,
11 it finds that the location occupied by the permittee is no longer a
12 suitable place to hold ABC permits or that the operation of the business
13 with an ABC permit at that location is detrimental to the neighborhood.
14 No order revoking or suspending an ABC permit pursuant to this
15 section may be made except upon substantial evidence admissible under
16 G.S. 150B-29(a).

17 (2) The Commission shall suspend or revoke a permit issued by it if a
18 permittee is in violation of G.S. 18B-309."

19 Section 3. There is appropriated from the General Fund to the Department of
20 Crime Control and Public Safety the sum of one hundred forty-nine thousand two
21 hundred sixteen dollars (\$149,216) for the 1998-99 fiscal year to fund two additional
22 Alcohol Law Enforcement officers to accomplish the purposes of this act.

23 Section 4. This act is effective when it becomes law.