

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

Fiscal Research
733-4910

Prepared By: Michele T. Nelson | Date Prepared: 3-2-89 | Bill No.: S 206 | Edition: First
 Approved By: Tom L. Covington | TOMC | Sponsor: Sen. Aaron Plyler
 Short Title: Monroe ABC Law Enforcement

TYPE OF FISCAL IMPACT			FUNDS AFFECTED:			() Other:		
			() General	() Highway				() Local
	County/							
	State	Local	State Fiscal Impact			FY	FY	FY
	Gov't	Gov't						
No Fiscal Impact	(X)	()	State Total Req'ments					
			Receipts/Revenues					
Increase Expenditure	()	()	Net State Expend./Rev.					
			No. of Positions					
Decrease Expenditure	()	()	Local Fiscal Impact			FY	FY	FY
Increase Revenue	()	()	Local Total Req'ments					
			Receipts/Revenues					
Decrease Revenue	()	()	Net Local Expend./Rev.					
			No. of Positions					
No Estimate Avail.	()	()						

Description of Legislation

1. Summary of Legislation

This bill changes the jurisdiction of the Monroe ABC Law Enforcement Officer by amending CH. 541, to provide that the Monroe City ABC Board may contract for law enforcement under G.S. 18B-501(f). Clarifies that persons appointed by Board have same authority within the city limits of Monroe (now, Union County) as other peace officers.

2. Effective Date Upon Ratification.

3. Fund or Tax Affected Bailment Surcharge

4. Principal Department/Program Affected

Cost or Revenue Impact on State

FY	FY	FY
88-89	89-90	

1. Non-Recurring Costs/Revenues
2. Recurring Costs/Revenues
3. Fiscal/Revenue Assumptions

The ABC officer in Monroe will retire and in filling this position the local board wants to clarify that, geographically the area of responsibility is more accurately designated as the City of Monroe and not Union County. The ABC stores that serve this community are located in the city and not the county.

This change does not expand or restrict the local board's authority or financial responsibility. As prescribed in North Carolina law G.S. 18B-701(1) a local ABC board is empowered with the authority to manage, as necessary, the purchase, sale, transportation and possession of alcoholic beverages within its jurisdiction either city or county. This authority includes either employment of ABC officers by the local board or the provision to make arrangements for the enforcement of ABC laws as outlined in Article 5 (G.S. 18B-701(8)). Financial support for law enforcement may be found in G.S. 18B-805(c)(2) which mandates that a local board must spend at least five percent (5%) of its gross receipts for law enforcement after revenue has been designated for the following:

- 1) expenses
- 2) taxes
- 3) treatment of alcoholism or research or education on alcohol abuse provided by the Department of Human Resources and the county in which the board is located
- 4) the three and one-half percent (3 1/2%) mark-up.

According to the results of a survey conducted by the ABC in January 1989 the 151 local boards provide law enforcement in the following manner:

- 32 - Employ a salaried officer
- 80 - Contract with the county sheriff or local police department
- 39 - Give either the town, local police department, or county sheriff department a percentage of the board's profit, which in turn allows the local law enforcement agency to enforce the ABC laws.

Cost/Revenue Impact on County or Local Government

FY

FY

FY

88-89

89-90

1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

3. Fiscal/Revenue Assumptions

Sources of Data for Fiscal Note

North Carolina Alcoholic Beverage Control Commission and North Carolina General Statutes

Technical Considerations/Comments



Signed Copy Located in the NCGA Principal Clerk's Offices