

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH60223-LK-151 (4/3)

Short Title: ABC Availability in North Carolina.

(Public)

Sponsors: Representative Sutton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE AVAILABILITY OF ALCOHOLIC BEVERAGES SHOULD BE UNIFORM THROUGHOUT NORTH CAROLINA.

The General Assembly of North Carolina enacts:

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

"§ 18B-101A. Commission may issue permits statewide.

(a) Effective January 1, 2005, the Commission may issue permits to qualified applicants throughout the State.

(b) The local governing body of a jurisdiction shall have the option to determine that no permits shall be issued by the Commission in that jurisdiction by passing a resolution no later than October 1, 2004. If a county board of commissioners passes a prohibition resolution, no permits shall be issued by the Commission in the unincorporated area of the county. If a city council passes a prohibition resolution, no permits shall be issued by the Commission within the corporate limits of the municipality. All resolutions passed pursuant to this subsection shall be filed with the Alcoholic Beverage Control Commission.

(c) Once a governing body has voted to prohibit the issuance of permits by the Commission within the jurisdiction, only an election by the registered citizens of that jurisdiction, conducted in accordance with G.S. 18B-601, can authorize the Commission to issue permits in that jurisdiction.

(d) All permits issued by the Commission prior to June 30, 2004, pursuant to the provisions of this Chapter shall remain in effect even if a governing body votes, pursuant to subsection (b) of this section, to prohibit the issuance of permits by the Commission.

(e) All local acts, rules, and provisions of this Chapter in conflict with this section are invalid and may not be enforced."

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SECTION 2. This act is effective when it becomes law.