

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 346\*  
Committee Substitute Favorable 4/26/93

Short Title: Multicounty ABC Elections.

(Public)

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Sponsors:

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Referred to:

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February 25, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE ALCOHOLIC BEVERAGE ELECTIONS IN CITIES  
3 LOCATED IN TWO OR MORE COUNTIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 18B-600 is amended by adding a new subsection to read:

6 "(e4) Multicounty/City ABC Elections. – If a city is located in two or more  
7 counties, the following provisions shall apply:

8 (1) The city may hold a malt beverage or unfortified wine election if any  
9 county in which a portion of the city is located has already held such  
10 an election, the vote in the last election of the particular type was  
11 against the sale of that type of alcoholic beverage, and the city has a  
12 population of 500 or more.

13 (2) The city may hold a mixed beverage election if the city has at least 500  
14 registered voters and a county in which a portion of the city is located  
15 operates ABC stores.

16 (3) If an election is held by a city under this subsection, all of the city  
17 voters may vote in the election. If the vote is for approval, alcoholic  
18 beverages may be sold on the basis of that approval and under the  
19 provisions of this Chapter. If the sale of mixed beverages is approved,  
20 the mixed beverage permittees shall purchase their liquor from one or  
21 more ABC stores located within the city that have been designated by  
22 the local boards for those purchases. The remaining gross receipts shall  
23 be distributed in accordance with existing law applicable to those ABC

1                    stores, except that after the applicable distributions have been made  
2                    pursuant to G.S. 18B-805(b), (c), and (d), the local share of the mixed  
3                    beverages surcharge and the guest room cabinet surcharge required by  
4                    G.S.18B-804(b)(8) and (9) shall be distributed one-half to the general  
5                    fund of the city where the mixed beverage permittees are located and  
6                    one-half to the local ABC boards from whose stores liquor is  
7                    purchased."

8                    Sec. 2. G.S. 18B-501(f) reads as rewritten:

9                    "(f)    Contracts with Other Agencies. – Instead of hiring local ABC officers, a local  
10                    board may contract to pay its enforcement funds to a sheriff's department, city police  
11                    department, or other local law-enforcement agency for enforcement of the ABC laws  
12                    within the agency's territorial jurisdiction. Enforcement agreements may be made with  
13                    more than one agency at the same time. When such a contract for enforcement exists,  
14                    the officers of the contracting law-enforcement agency shall have the same authority to  
15                    inspect under G.S. 18B-502 that an ABC officer employed by that local board would  
16                    have. If a city located in two or more counties approves the sale of some type of  
17                    alcoholic beverage pursuant to the provisions of G.S. 18B-600(e4), and there are no  
18                    local ABC boards established in the city and one of the counties in which the city is  
19                    located, the local ABC board of any county in which the city is located may enter into  
20                    an enforcement agreement with the city's police department for enforcement of the ABC  
21                    laws within the entire city, including that portion of the city located in the county of the  
22                    ABC board entering into the enforcement agreement."

23                    Sec. 3. This act is effective upon ratification.