

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 684

Short Title: Special ABC Area Procedures.

(Local)

Sponsors: Representative Ives.

Referred to: Local and Regional Government II, if favorable, Judiciary II.

March 31, 1997

A BILL TO BE ENTITLED

**AN ACT TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL
COMMISSION SHALL CERTIFY THE SPECIAL ABC DISTRICTS IN WHICH
ELECTIONS MAY BE CONDUCTED.**

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-603(f2) reads as rewritten:

"(f2) Permits for Special ABC Areas. – The Commission may issue the permits provided for in G.S. 18B-1001(1), G.S. 18B-1001(2), G.S. 18B-1001(3), G.S. 18B-1001(4), G.S. 18B-1001(5), G.S. 18B-1001(6), and G.S. 18B-1001(10) to qualified persons and establishments located within a Special ABC area as defined in G.S. 18B-101, provided that: (i) if such area is a municipal corporation, the area shall conduct an election authorized by subdivision (a)(4) of G.S. 18B-600, which election may be held regardless of the number of registered voters located within the municipal corporation; or (ii) if such area is unincorporated but has within such area a private association or club, the board of such private association or club shall call and conduct a special meeting at which meeting a majority of private association members, club members, lot and home owners, votes and approves the sale of mixed beverages, and the board certifies the results of such meeting to the Alcoholic Beverage Control Commission. The mixed beverages purchase-transportation permit authorized by G.S. 18B-404(b) shall be issued by a local board operating a store located in the same county as the Special ABC area.

1 If the Special ABC area vote is to be conducted pursuant to (ii) above, prior to the
2 voting, the private association or club shall present a map or description of the proposed
3 Special ABC area to be represented at the vote to the Alcoholic Beverage Commission
4 for review. The Commission shall conduct whatever investigation it deems necessary to
5 review the area and then shall finally designate the particular area from which the club
6 members, lot or home owners may vote. Any costs of the investigation, such as
7 surveying the area, shall be paid by the parties seeking the vote. When two or more
8 parties are seeking the vote, such as a club and a group of homeowners, the costs of the
9 investigation shall be equally borne by the parties and not by the individuals."

10 Section 2. This act applies to Transylvania County only.

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