

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 186
Committee Substitute Favorable 3/11/09

Short Title: Local Government Objections to ABC Stores.

(Public)

Sponsors:

Referred to:

February 18, 2009

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW LOCAL GOVERNMENTS TO OBJECT TO THE LOCATION OF
2 ALCOHOLIC BEVERAGE CONTROL STORES IF THE LOCAL GOVERNMENT HAS
3 HELD A PUBLIC HEARING, TAKEN EVIDENCE, AND PASSED A RESOLUTION
4 OBJECTING TO THE LOCATION OF AN ALCOHOLIC BEVERAGE CONTROL
5 STORE.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 18B-801 is amended by adding a new subsection to read:

9 "(b1) Notwithstanding subsection (b) of this section, no local board may establish an ABC
10 store at any location within the corporate limits of a municipality if the governing body of the
11 municipality has passed a resolution objecting to the location of the proposed ABC store and
12 the resolution is based upon information and evidence presented to the governing body of the
13 municipality at a public hearing. If a municipality objects to the location of a proposed ABC
14 store, the local board may request the Commission to approve the proposed ABC store location
15 notwithstanding the objection of the municipality. The Commission shall have final authority to
16 determine if the operation of an ABC store at the contested proposed location is suitable.

17 Upon notice given to the Commission by an affected municipality, any statutory and
18 administrative time limits allowed for objections to, or public hearings concerning the location
19 of, an ABC store shall be extended by 45 days to allow a municipality sufficient time to
20 conduct a public hearing and submit its objection and resolution to the Commission."

21 **SECTION 2.** This act becomes effective October 1, 2009, and applies to ABC
22 store locations announced on or after that date.

