

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-295
SENATE BILL 68**

AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, IN DECIDING ON THE LOCATION OF AN ABC STORE IN GUILFORD COUNTY, TO CONSIDER WHETHER IT IS WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NONPUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-801(b) reads as rewritten:

"(b) Location of Stores. – A local board may choose the location of the ABC stores within its jurisdiction, subject to the approval of the Commission. In making its decision on a location, the Commission may consider:

- (1) Whether the health, safety, or general welfare of the community will be adversely ~~affected; and~~ affected;
- (2) Whether the citizens of the community or city in which the proposed store is to be located voted for or against ABC stores in the last election on the ~~question-question; and~~
- (3) Whether the proposed ABC store is located within 1,000 feet of a church, public school, or any nonpublic school under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes."

SECTION 2. This act applies only to Guilford County.

SECTION 3. This act becomes effective December 1, 2009, and applies to ABC permits issued in Guilford County on or after that date.

In the General Assembly read three times and ratified this the 15th day of July, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

