

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 895
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HOUSE PRINCIPAL CLERK

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HOUSE DRH40378-ML-218 (3/29)

Short Title: ABC Stores/Lottery Ticket Vending Machine.

(Public)

Sponsors: Representative J. Bell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE INSTALLATION AND OPERATION OF LOTTERY
3 TICKET VENDING MACHINES IN ABC STORES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 18B-701(a) reads as rewritten:

6 "(a) Powers. – A local board shall have authority ~~to~~ to do all of the following:

- 7 (1) Buy, sell, transport, and possess alcoholic beverages as necessary for the
8 operation of its ~~ABC stores;~~stores.
- 9 (2) Adopt rules for its ABC system, subject to the approval of the
10 ~~Commission;~~Commission.
- 11 (3) Hire and fire employees for the ABC ~~system;~~system.
- 12 (4) Designate one employee as manager of the ABC system and determine his
13 ~~responsibilities;~~responsibilities.
- 14 (5) Require bonds of employees as provided in the rules of the
15 ~~Commission;~~Commission.
- 16 (6) Operate ABC stores as provided in Article ~~8;~~8.
- 17 (7) Issue purchase-transportation permits as provided in Article ~~4;~~4.
- 18 (8) Employ local ABC officers or make other provision for enforcement of ABC
19 laws as provided in Article ~~5;~~5.
- 20 (9) Borrow money as provided in ~~G.S. 18B-702;~~G.S. 18B-702.
- 21 (10) Buy and lease real and personal property, and receive property devised or
22 given, as necessary for the operation of the ABC ~~system;~~system.
- 23 (11) Invest surplus funds as provided in ~~G.S. 18B-702;~~G.S. 18B-702.
- 24 (12) Dispose of property in the same manner as a city council may under Article
25 12 of Chapter 160A of the General ~~Statutes;~~ and Statutes.
- 26 (13) Contract with the North Carolina State Lottery Commission pursuant to
27 G.S. 18C-140 to sell draw games and instant scratch-off games through
28 self-service lottery ticket vending machines in its ABC stores and perform
29 all associated lottery services. Nothing in this subdivision shall be construed
30 as (i) allowing the sale of lottery tickets at ABC stores other than draw
31 games and instant scratch-off games sold through self-service lottery ticket
32 vending machines installed in ABC stores or (ii) requiring ABC stores to
33 allow persons under the age of 21 to enter the ABC stores.

34 ~~(13)~~(14) Perform any other activity authorized or required by the ABC law."

35 **SECTION 2.** G.S. 18B-800 reads as rewritten:

36 "§ 18B-800. Sale of alcoholic beverages and lottery tickets in ABC stores.



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1 ...
2 (f) Lottery Tickets. – In addition to other sales authorized under this section, ABC
3 stores may sell lottery tickets in accordance with G.S. 18B-701(a)(13)."

4 **SECTION 3.** G.S. 18B-805(b) reads as rewritten:

5 "(b) Primary Distribution. – Before making any other distribution, a local board shall
6 first pay the following from its gross receipts:

7 (1) The board shall pay the expenses, including salaries, of operating the local
8 ABC system.

9 (2) Each month the local board shall pay to the Department of Revenue the
10 taxes due the Department. In addition to the taxes levied under Chapter 105
11 of the General Statutes, the local board shall pay to the Department one-half
12 of both the mixed beverages surcharge required by G.S. 18B-804(b)(8) and
13 the guest room cabinet surcharge required by G.S. 18B-804(b)(9).

14 (3) Each month the local board shall pay to the Department of Health and
15 Human Services five percent (5%) of both the mixed beverages surcharge
16 required by G.S. 18B-804(b)(8) and the guest room cabinet surcharge
17 required by G.S. 18B-804(b)(9). The Department of Health and Human
18 Services shall spend those funds for the treatment of alcoholism or substance
19 abuse, or for research or education on alcohol or substance abuse.

20 (4) Each month the local board shall pay to the county commissioners of the
21 county where the charge is collected the proceeds from the bottle charge
22 required by G.S. 18B-804(b)(6), to be spent by the county commissioners for
23 the purposes stated in subsection (h) of this section.

24 (5) Each quarter the local board shall pay to the Department of Public
25 Instruction all proceeds received by the local board under G.S. 18C-142 for
26 the operation of self-service lottery ticket vending machines in its ABC
27 stores pursuant to G.S. 18B-701(a)(13). Funds received by the Department
28 of Public Instruction under this subdivision shall be credited to the Public
29 School Building Capital Fund account of the county where the local board is
30 located and used in accordance with G.S. 115C-546.2."

31 **SECTION 4.** This act is effective when it becomes law.