

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 895

Short Title: ABC Stores/Lottery Ticket Vending Machine. (Public)

Sponsors: Representatives J. Bell and Dollar (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Alcoholic Beverage Control.

April 15, 2015

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

The General Assembly of North Carolina enacts:

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

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

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

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

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



1 "§ 18B-800. Sale of alcoholic beverages and lottery tickets in ABC stores.

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

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

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

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

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

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

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

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

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