

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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HOUSE BILL 1217

Short Title: ABC Premises Inspection Study.

(Public)

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Sponsors: Representatives Hurley; and Bowman.

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Referred to: Rules, Appointments, and Calendar.

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May 10, 1991

A BILL TO BE ENTITLED

AN ACT TO CREATE THE ABC PREMISES INSPECTION STUDY  
COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The ABC Premises Inspection Study Commission is created. The Commission shall consist of 12 members. Six Senators appointed by the President Pro Tempore of the Senate, and six Representatives appointed by the Speaker of the House of Representatives.

Sec. 2. The President Pro Tempore of the Senate shall designate one Senator as cochairman and the Speaker of the House of Representatives shall designate one Representative as cochairman.

Sec. 3. The Commission shall study:

- (1) The inspection of premises with ABC permits by ALE personnel, law enforcement agencies contracting with local ABC Commissions to provide ABC enforcement, and other local law enforcement personnel;
- (2) The statutory and case law with respect to searches and seizures in private, semiprivate, and commercial establishments selling alcoholic beverages and licensed by the State;
- (3) The appropriate method for inspecting the premises and business records to ensure compliance with ABC laws; and
- (4) Other issues related to inspection of premises and other methods to ensure compliance with the ABC laws of North Carolina.

Sec. 4. The Commission may submit an interim report of its finding and recommendations to the General Assembly on or before the first day of the 1992

1 Session of the General Assembly and shall submit a final report of its findings and  
2 recommendations to the General Assembly on or before the first day of the 1993  
3 Session of the General Assembly by filing the report with the President Pro Tempore of  
4 the Senate and the Speaker of the House of Representatives. Upon filing its final report,  
5 the Commission shall terminate.

6       Sec. 5. The Commission, while in the discharge of official duties, may  
7 exercise all the powers provided for under the provisions of G.S. 120-19 and G.S. 120-  
8 19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call  
9 of the cochairmen. The Commission may meet in the Legislative Building or the  
10 Legislative Office Building.

11       Sec. 6. Members of the Commission shall receive subsistence and travel  
12 expenses at the rates set forth in G.S. 120-3.1.

13       Sec. 7. The Commission may contract for professional, clerical, or consultant  
14 services as provided by G.S. 120-32.02. The Legislative Services Commission, through  
15 the Legislative Administrative Officer, shall assign professional staff to assist in the  
16 work of the Commission. The House of Representatives' Supervisor of Clerks or the  
17 Senate's Supervisor of Clerks shall assign clerical staff to the Commission, upon the  
18 direction of the Legislative Services Commission. The expenses relating to clerical  
19 employees shall be borne by the Commission.

20       Sec. 8. When a vacancy occurs in the membership of the Commission, the  
21 vacancy shall be filled by the same appointing officer who made the initial appointment.

22       Sec. 9. All State departments and agencies and all local governments and  
23 their subdivisions shall furnish the Commission with any information required by the  
24 Commission that is in their possession or available to them.

25       Sec. 10. There is appropriated from the General Fund to the General  
26 Assembly the sum of \$50,000 for the 1991-92 fiscal year and the sum of \$50,000 for the  
27 1992-93 fiscal year for the expenses of the Commission.

28       Sec. 11. This act becomes effective July 1, 1991.