

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 812  
Judiciary II Committee Substitute Adopted 4/22/99

Short Title: Alcoholic Beverage Sales.

(Public)

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Sponsors:

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Referred to:

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April 12, 1999

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN  
ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA  
SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY  
PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 18B of the General Statutes is amended by  
adding a new section to read:

**"§ 18B-309. Alcoholic beverage sales in Urban Redevelopment Areas.**

A food business as defined in G.S. 18B-1000(3), a retail business as defined in G.S. 18B-1000(7), or an eating establishment as defined in G.S. 18B-1000(2) that holds an ABC permit under this Chapter and is located in a part of a city that has been designated as an Urban Redevelopment Area under Article 22 of Chapter 160A of the General Statutes shall not have alcoholic beverage sales in excess of fifty percent (50%) of the business's total annual sales. Upon request of a city, the Commission shall investigate the total annual alcohol sales and total sales of a business as defined in this section. The Commission shall report the results of such an investigation to the city council, and the report shall contain only the percentage of annual alcohol sales in proportion to the business's total annual sales. A city may request an investigation of a particular business

1 by the Commission only once in each calendar year. These audits may be conducted by  
2 the Commission only upon the request of the city council. Businesses covered by this  
3 section shall maintain full and accurate monthly records of their finances, separately  
4 indicating each of the following:

5 (1) Amounts expended by the business for the purchase of alcoholic  
6 beverages and the quantity of alcoholic beverages purchased;

7 (2) Amounts collected from the sale of alcoholic beverages sold; and

8 (3) Amounts collected from the sale of food, nonalcoholic beverages, and  
9 all other items sold by the business.

10 Records of purchases of alcoholic beverages and sales of alcoholic beverages shall be  
11 filed separate and apart from all other records maintained on the premises, and all records  
12 related to alcoholic beverages, including original invoices, shall be maintained on the  
13 premises for three years and shall be open for inspection and audit pursuant to G.S. 18B-  
14 502."

15 Section 2. G.S. 18B-904(e) reads as rewritten:

16 "(e) Business or Location No Longer Suitable. –

17 (1) The Commission may suspend or revoke a permit issued by it if, after  
18 compliance with the provisions of Chapter 150B of the General Statutes,  
19 it finds that the location occupied by the permittee is no longer a  
20 suitable place to hold ABC permits or that the operation of the business  
21 with an ABC permit at that location is detrimental to the neighborhood.  
22 No order revoking or suspending an ABC permit pursuant to this  
23 section may be made except upon substantial evidence admissible under  
24 G.S. 150B-29(a).

25 (2) The Commission shall suspend or revoke a permit issued by it if a  
26 permittee is in violation of G.S. 18B-309."

27 Section 3. This act is effective when it becomes law.