

February 17, 2009

H 186. LOCAL GOVERNMENT OBJECTIONS TO ABC STORES. Filed 2/17/09. *TO ALLOW LOCAL GOVERNMENTS TO OBJECT TO THE LOCATION OF ALCOHOLIC BEVERAGE CONTROL STORES IF THE LOCAL GOVERNMENT HAS HELD A PUBLIC HEARING, TAKEN EVIDENCE, AND PASSED A RESOLUTION OBJECTING TO THE LOCATION OF AN ALCOHOLIC BEVERAGE CONTROL STORE.*

Amends GS 18B-801 (location, opening, and closing of alcohol beverage control (ABC) stores) to prohibit, notwithstanding subsection (b) of this statute, a local ABC board from establishing an ABC store at any location within the corporate limits of a municipality if a resolution is (1) passed by the municipality's governing body objecting to the location and (2) based upon information and evidence presented at a public hearing. Provides that the local board may request that the Alcoholic Beverage Control Commission (Commission) approve the proposed location notwithstanding the objection of the municipality and that the Commission has final authority to determine if the contested proposed location is suitable. States that the Commission's decision is final and prohibits a municipality from appealing the decision to any court. Extends any statutory and administrative time limits concerning objections or hearings related to the proposed location of a store by 45 days, upon notice to the Commission by an affected municipality, to allow sufficient time to conduct a public hearing and submit an objection and resolution to the Commission. Effective for ABC store locations announced on or after October 1, 2009.

Intro. by Parmon.

GS 18B

March 11, 2009

H 186. LOCAL GOVERNMENT OBJECTIONS TO ABC STORE. Filed 2/17/09. House committee substitute makes the following changes to 1st edition. Amends proposed GS 18B-801(b1) by deleting the provision making the Alcoholic Beverage Control Commission's (Commission) decision regarding the location of an ABC store final, and prohibiting a municipality from appealing the Commission's decision to any court.

May 28, 2009

SL 2009-36 (H 186). LOCAL GOVERNMENT OBJECTIONS TO ABC STORES. AN ACT TO ALLOW LOCAL GOVERNMENTS TO OBJECT TO THE LOCATION OF ALCOHOLIC BEVERAGE CONTROL STORES IF THE LOCAL GOVERNMENT HAS HELD A PUBLIC HEARING, TAKEN EVIDENCE, AND PASSED A RESOLUTION OBJECTING TO THE LOCATION OF AN ALCOHOLIC BEVERAGE CONTROL STORE. Summarized in *Daily Bulletin* 2/17/09 and 3/11/09. Enacted May 27, 2009. Effective October 1, 2009.