

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 6
Commerce Committee Substitute Adopted 5/12/09
PROPOSED HOUSE COMMITTEE SUBSTITUTE S6-PCS85240-RV-45

Short Title: ABC Rules/Private Clubs.

(Public)

Sponsors:

Referred to:

January 29, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE AUTHORITY OF THE ABC COMMISSION TO ADOPT
3 RULES CONCERNING PRIVATE CLUBS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 18B-1008 reads as rewritten:

6 "**§ 18B-1008. Rules concerning retail permits.**

7 The Commission is authorized to use broad discretion in further defining the kinds of places
8 eligible for permits under this Article. The rules may state the kind and amount of food that
9 shall be sold to qualify in each category, the relationship between food sales and other receipts,
10 the size of the establishment required for each category, the kinds of facilities needed to
11 qualify, the kinds of activities at which alcoholic beverages may not be sold, and any other
12 matters which are necessary to determine which businesses are bona fide establishments of the
13 kinds listed in G.S. 18B-1000. Rules concerning private clubs may also ~~include, but need not~~
14 ~~be limited to, include~~ requirements that the club have a membership committee to review all
15 applications for membership, that the club charge membership dues substantially greater than
16 what would be paid by a one-time or casual user, that the club restrict use by nonmembers, and
17 that the club provide facilities or activities other than those directly related to the use of
18 alcoholic beverages. ~~beverages, and that the club have a waiting period for membership. A~~
19 ~~waiting period required by the Commission shall not exceed 30 days."~~

20 **SECTION 2.** The Alcoholic Beverage Control Commission shall examine on a
21 continuing basis the record of violations and noncompliance with Commission rules for ABC
22 establishments operating as private clubs, and shall report its findings to the Joint Legislative
23 Corrections, Crime Control, and Juvenile Justice Oversight Committee. The report shall be
24 submitted prior to the convening of the 2011 Regular Session of the General Assembly, and
25 shall include the period from July 1, 2009, through December 31, 2010.

26 **SECTION 3.** This act is effective when it becomes law.

