

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

D

HOUSE BILL 389  
PROPOSED COMMITTEE SUBSTITUTE H389-PCS10323-Saf-13

Short Title: ABC/Univ Athletic Facility.

(Public)

Sponsors:

Referred to:

March 20, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE PUBLIC COLLEGES AND UNIVERSITIES TO ALLOW  
3 ALCOHOL SALES AT STADIUMS, ATHLETIC FACILITIES, AND ARENAS  
4 LOCATED ON SCHOOL PROPERTY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 18B-1006(a) reads as rewritten:

7 "(a) School and College Campuses. – No permit for the sale of alcoholic beverages shall  
8 be issued to a business on the campus or property of a public school, college, or university. This  
9 subsection shall not apply to the following:

- 10 (1) A regional facility as defined by G.S. 160A-480.2 operated by a facility  
11 authority under Part 4 of Article 20 of Chapter 160A of the General Statutes,  
12 unless the permit is for a public school or public college or university  
13 function. Statutes.
- 14 (2) Property owned by a local board of education and leased for 99 years or more  
15 to a nonprofit auditorium authority created prior to 1991 whose governing  
16 board is appointed by a city governing board, a county board of  
17 commissioners, or a local school board.
- 18 (3) A hotel.
- 19 (4) A nonprofit alumni organization.
- 20 (5) Restaurants, eating establishments, food businesses, or retail businesses on the  
21 property defined by G.S. 116-198.33(4).
- 22 (6) Any golf courses owned or leased by the public college or university and open  
23 to the public for use.
- 24 (7) The sale of malt beverages, unfortified wine, or fortified wine at the following:  
25 a. Performing arts centers located on property owned or leased by the  
26 public college or university.  
27 b. Any stadiums that support a NASCAR-sanctioned one-fourth mile  
28 asphalt flat oval short track, that are owned or leased by the public  
29 college or university, and that only sell malt beverages, unfortified  
30 wine, or fortified wine at events that are not sponsored or funded by  
31 the public college or university.
- 32 (8) Special one-time permits as described in G.S. 18B-1002(a)(5) for the  
33 Loudermilk Center for Excellence facility at the University of North Carolina  
34 at Chapel Hill.
- 35 (9) A stadium, athletic facility, or arena on the campus or property of a public  
36 college or university, if the Board of Trustees of the public college or



\* H 3 8 9 - P C S 1 0 3 2 3 - S A F - 1 3 \*

1 university has voted to allow the issuance of permits for use at that stadium,  
2 athletic facility, or arena. If a Board of Trustees votes to allow the issuance of  
3 permits in accordance with this subdivision, the Board of Trustees shall  
4 provide written notice to the Commission that it has voted to allow the  
5 issuance of permits. For purposes of this subdivision, the term "public college  
6 or university" does not include a community college. Any permit described in  
7 G.S. 18B-1001, 18B-1002(a)(2), or 18B-1002(a)(5) may be issued pursuant  
8 to this subdivision to applicants meeting the requirements for the requested  
9 permit. Notwithstanding the issuance of a mixed beverages permit pursuant to  
10 G.S. 18B-1001(10), this subdivision does not authorize the sale of mixed  
11 beverages when the stadium, athletic facility, or arena is being used for a  
12 sports event sponsored by the public college or university. This subdivision  
13 does not apply to any sales authorized under subdivisions (1) through (8) of  
14 this subsection. For purposes of this subdivision, the premises of a stadium,  
15 athletic facility, or arena shall include any area that meets all of the following  
16 requirements:

- 17 a. Is within 500 feet of the furthest exterior building wall, perimeter  
18 fence, or permanent fixed perimeter.  
19 b. Is designated by the stadium, athletic facility, or arena in a map or  
20 written description that clearly defines the boundary of the area, and  
21 that map or written description is included in the permit application.  
22 c. Can be designated in a manner that enables the stadium, athletic  
23 facility, or arena to ensure compliance with the provisions of this  
24 Chapter."

25 **SECTION 2.** This act is effective when it becomes law.