

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

FILED SENATE  
May 2, 2024  
S.B. 793  
PRINCIPAL CLERK

S

D

SENATE BILL DRS35337-ML-141

Short Title: Jones ABC Profit Distribution to be Annual. (Local)

Sponsors: Senator Jackson (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT THE JONES COUNTY ALCOHOLIC BEVERAGE  
3 CONTROL BOARD MAY MAKE ANNUAL RATHER THAN QUARTERLY  
4 DISTRIBUTIONS OF THE PROCEEDS FROM THE ABC SYSTEM.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 18B-805 reads as rewritten:

7 "§ 18B-805. Distribution of revenue.

8 ...

9 (c) Other Statutory Distributions. – After making the distributions required by subsection  
10 (b), a local board shall make the following ~~quarterly~~ annual distributions from the remaining  
11 gross ~~receipts~~ receipts on September 30 of each year:

12 (1) Before making any other distribution under this subsection, the local board  
13 shall set aside the clear proceeds of the three and one-half percent (3 1/2%)  
14 markup provided for in G.S. 18B-804(b)(5) and the charge provided for in  
15 G.S. 18B-804(b)(6b), to be distributed as part of the remaining gross receipts  
16 under subsection (e) of this section.

17 (2) The local board shall spend for law enforcement an amount set by the board  
18 which shall be at least five percent (5%) of the gross receipts remaining after  
19 the distribution required by subdivision (1). The local board may contract with  
20 the ALE Division to provide the law enforcement required by this subdivision.  
21 Notwithstanding the provisions of any local act, this provision shall apply to  
22 all local boards.

23 (3) The local board shall spend, or pay to the county commissioners to spend, for  
24 the purposes stated in subsection (h), an amount set by the board which shall  
25 be at least seven percent (7%) of the gross receipts remaining after the  
26 distribution required by subdivision (1). This provision shall not be applicable  
27 to a local board which is subject to a local act setting a different distribution.

28 ...

29 (e) Other Distributions. – After making the distributions provided in subsections (b), (c),  
30 and (d), the local board shall pay ~~each quarter annually, on September 30 of each year,~~  
31 remaining gross receipts to the general fund of the city or county for which the board is  
32 established, unless some other distribution or some other schedule is provided for by law. If the  
33 governing body of each city and county receiving revenue from an ABC system agrees, those  
34 governing bodies may alter at any time the distribution to be made under this subsection or under  
35 any local act. Copies of the governing body resolutions agreeing to a new distribution formula  
36 and a copy of the approved new distribution formula shall be submitted to the Commission for



1 review and audit purposes. If any one of the governing bodies later withdraws its consent to the  
2 change in distribution, profits shall be distributed according to the original formula, beginning  
3 with the next ~~quarter-year~~.

4 ...

5 (g) ~~Quarterly-Annual~~ Distributions. – When this section requires a distribution to be made  
6 ~~quarterly, annually,~~ at least ninety percent (90%) of the estimated distribution shall be paid to the  
7 recipient by the local board within 30 days of the end of that ~~quarter-year~~. Adjustments in the  
8 amount to be distributed resulting from the closing of the books and from audit shall be made  
9 with the next ~~quarterly-annual~~ payment.

10 ...."

11 **SECTION 2.** This act applies to Jones County and to the Jones County Alcoholic  
12 Beverage Control Board only.

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