

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 372
HOUSE BILL 783

AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL
PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-301(f) reads as rewritten:

"(f) Unlawful Possession or Use. – As illustration, but not limitation, of the general prohibition stated in G.S. 18B-102(a), it shall be unlawful for:

- (1) Any person to consume fortified wine, spirituous liquor, or mixed beverages or to offer such beverages to another person:
 - a. On the premises of an ABC store, or
 - b. Upon any property used or occupied by a local board, or
 - c. On any public road, street, highway, or sidewalk.
- (2) Any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages;
- (3) Any person to permit any fortified wine, spirituous liquor, or mixed beverages to be possessed or consumed upon any premises not authorized by this Chapter;
- (4) Any person to possess or consume any fortified wine, spirituous liquor, or mixed beverages upon any premises where such possession or consumption is not authorized by law, or where the person has been forbidden to possess or consume that beverage by the owner or other person in charge of the premises;
- (5) Any person to possess on any of the premises described in subsections (a) through (c) a greater amount of fortified wine or spirituous liquor than authorized by this Chapter;
- (6) Any permittee, other than a mixed beverage or culinary permittee, to possess spirituous liquor or mixed beverages on his licensed premises.
- (7) Any person to possess on his person or consume malt beverages or unfortified wine upon any property owned or leased by a local board of education and used by the local board of education for school purposes. Provided, however, the prohibition in G.S. 18B-102(a) and this subdivision shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board."

Sec. 2. G.S. 18B-1006(a) reads as rewritten:

"(a) School and College Campuses. – No permit for the sale of malt beverages, unfortified wine, or fortified wine shall be issued to a business on the campus or property of a public school or college unless that business is a hotel or a nonprofit alumni organization with a mixed beverages permit or a special occasion permit. Provided, however, this subsection shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 5th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives