

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH10172-TA-13 (03/13)

Short Title: ABC Recycle Amends.

(Public)

Sponsors: Representative Gibson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE REQUIREMENTS FOR CERTAIN ABC PERMIT
HOLDERS TO RECYCLE RECYCLABLE CONTAINERS, AND TO PROVIDE
THAT A FAILURE OF A PERMIT HOLDER TO RECYCLE AS REQUIRED IS
A VIOLATION PUNISHABLE UNDER G.S. 130A-22.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1006.1 reads as rewritten:

"§ **18B-1006.1.** (Effective January 1, 2008) **Additional requirement for certain permittees to recycle beverage containers.**

(a) Holders of on-premises malt beverage permits, on-premises unfortified wine permits, on-premises fortified wine permits, and mixed beverages permits shall separate, store, and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises. A permittee has satisfied the requirements of this subsection if it implements a recycling program that meets the minimum standards of the model recycling program developed by the Commission pursuant to G.S. 130A-309.14(m). For purposes of this section, "recyclable beverage containers" shall not include glass malt beverage containers.

(b) The requirements of subsection (a) of this section do not apply to permittees for premises that are located in areas where the local government having jurisdiction does not provide for the collection of recyclable materials from business establishments.

(c) Failure of a permittee to separate, store, and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises as required by this section shall constitute a violation punishable as provided in G.S. 130A-22(j)."

SECTION 2. G.S. 130A-22 is amended by adding a new subsection to read:

"(j) The Secretary may impose an administrative penalty on a holder of an on-premises malt beverage permit, on-premises unfortified wine permit, on-premises

1 fortified wine permit, and mixed beverages permit for the failure of the permittee to
2 separate, store, and provide for the collection for recycling of all recyclable beverage
3 containers of all beverages sold at retail on the premises as required by
4 G.S. 18B-1006.1. Each day of a continuing violation is a separate violation. The penalty
5 shall not exceed one thousand dollars (\$1,000) for each day the violation continues."

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