

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1319

Short Title: Merger Required-Unprofitable ABC Stores. (Public)

Sponsors: Representative Starnes.

Referred to: Alcoholic Beverage Control, if favorable, Judiciary III.

April 9, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALCOHOLIC BEVERAGE CONTROL BOARDS THAT ARE UNPROFITABLE FOR TWO CONSECUTIVE YEARS TO MERGE WITH ANOTHER ALCOHOLIC BEVERAGE CONTROL BOARD AND REQUIRE ABC STORES THAT ARE UNPROFITABLE FOR TWO CONSECUTIVE YEARS TO BE CLOSED BY THE LOCAL BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-703 is amended by adding a new subsection to read:

"§ 18B-703. **Merger of local ABC operations.**

...

(a1) Required Merger. – Any local board that is not profitable for two consecutive years, based on information contained in the annual audits, which is not closed pursuant to G.S. 18B-801, shall be required to merge with another ABC board pursuant to the provisions of this section. If a merger required by this subsection is not accepted by the city governing body or board of county commissioners, the Commission shall merge the boards.

...."

SECTION 2. G.S. 18B-801 is amended by adding a new subsection to read:

"§ 18B-801. **Location, opening, and closing of stores.**

...

(c1) Mandatory Closing of Stores. – Notwithstanding the provisions of subsection (a) of this section, a local board shall close, or the Commission shall order a local board to close, any store when the local board or the Commission determines that the operation of a store is not profitable for two consecutive years.

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SECTION 3. This act becomes effective October 1, 2009.

