

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 948
Committee Substitute Favorable 4/23/01
Third Edition Engrossed 4/26/01

Short Title: Redefine "Special ABC Area".

(Public)

Sponsors:

Referred to:

April 3, 2001

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES IN THE LAW REGARDING THE DEFINITION OF
"SPECIAL ABC AREA".

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-101(13a) reads as rewritten:

"§ 18B-101. Definitions.

As used in this Chapter, unless the context requires otherwise:

...

(13a) "Special ABC area" means an area that meets the following requirements:

Either:

- a.
 1. Has fewer than 500 permanent residents;
 2. Is located in a county that borders another state, that has at least one city that has approved the operation of an ABC store, and in which the sale of unfortified wine and malt beverages is permitted countywide or in ~~at least two cities;~~ one city; and
 3. Contains more than 500 contiguous acres made up of privately-owned land and land owned by an association or a club that is exempt from income tax on its membership income under Article 4 of Chapter 105 of the General Statutes, has more than 200 members, was created for municipal and recreational purposes, and, for three or more years, has levied assessments or dues and provided municipal services; or
- b.
 1. Has more than 500 permanent residents;
 2. Is located in a county:

- 1 I. Where ABC stores have heretofore been
2 established but in which the sale of mixed
3 beverages has not been approved;
4 II. That borders on a county that has approved the
5 sale of alcoholic beverages countywide and
6 contains an international airport; and
7 III. Borders on a county where ABC stores have
8 heretofore been established by petition pursuant
9 to law; and
10 3. Contains more than 500 contiguous acres made up of
11 privately-owned land and land owned by an association
12 or a club that is exempt from income tax on its
13 membership income under Article 4 of Chapter 105 of
14 the General Statutes, has more than 200 members, was
15 created for municipal and recreational purposes, and, for
16 three or more years, has levied assessments or dues and
17 provided municipal services."

18 **SECTION 2.** This act does not apply in Graham and Swain Counties.

19 **SECTION 3.** In the event that a court of competent jurisdiction holds that
20 Section 2 of this act is unconstitutional or otherwise invalid, the invalidity does not
21 affect other provisions or applications of this act that can be given effect without the
22 invalid provisions or application, and to this end the provisions of Section 2 of this act
23 are severable from the remainder of this act.

24 **SECTION 4.** This act is effective when it becomes law.