

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1776

Short Title: ABC Recycle Amends.

(Public)

Sponsors: Representatives Gibson; and Harrison.

Referred to: Environment and Natural Resources, if favorable, Judiciary I.

April 19, 2007

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

6 The General Assembly of North Carolina enacts:

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

8 "**§ 18B-1006.1. (Effective January 1, 2008) Additional requirement for certain**
9 **permittees to recycle beverage containers.**

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

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

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

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

26 "(j) The Secretary may impose an administrative penalty on a holder of an
27 on-premises malt beverage permit, on-premises unfortified wine permit, on-premises
28 fortified wine permit, and mixed beverages permit for the failure of the permittee to
29 separate, store, and provide for the collection for recycling of all recyclable beverage

1 containers of all beverages sold at retail on the premises as required by
2 G.S. 18B-1006.1. Each day of a continuing violation is a separate violation. The penalty
3 shall not exceed one thousand dollars (\$1,000) for each day the violation continues."

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