

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

SESSION LAW 2009-381
HOUSE BILL 1228

AN ACT TO CLARIFY THE AUTHORITY OF THE ABC COMMISSION TO ADOPT
RULES CONCERNING PRIVATE CLUBS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1008 reads as rewritten:

"§ 18B-1008. Rules concerning retail permits.

The Commission is authorized to use broad discretion in further defining the kinds of places eligible for permits under this Article. The rules may state the kind and amount of food that shall be sold to qualify in each category, the relationship between food sales and other receipts, the size of the establishment required for each category, the kinds of facilities needed to qualify, the kinds of activities at which alcoholic beverages may not be sold, and any other matters which are necessary to determine which businesses are bona fide establishments of the kinds listed in G.S. 18B-1000. Rules concerning private clubs may also ~~include, but need not be limited to,~~ include requirements that the club have a membership committee to review all applications for membership, that the club charge membership dues substantially greater than what would be paid by a one-time or casual user, that the club restrict use by nonmembers, and that the club provide facilities or activities other than those directly related to the use of alcoholic ~~beverages, beverages, and that the club have a waiting period for membership. A waiting period required by the Commission shall not exceed 30 days.~~"

SECTION 2. The Alcoholic Beverage Control Commission shall examine on a continuing basis the record of violations and noncompliance with Commission rules for ABC establishments operating as private clubs, and shall report its findings to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The report shall be submitted prior to the convening of the 2011 Regular Session of the General Assembly, and shall include the period from July 1, 2009, through December 31, 2010.

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

In the General Assembly read three times and ratified this the 21st day of July, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 12:10 p.m. this 31st day of July, 2009

