

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 782

Short Title: Local Officers-Enter ABC Premises.

(Public)

Sponsors: Representatives Hurley; Alexander, Bowie, J. Brown, W. Brown, Culp, Fox, Gamble, Justus, McMahan, Owens, Richardson, Sutton, and Tolson.

Referred to: Judiciary II.

April 10, 1995

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ENTRY OF ABC LICENSED PREMISES BY LOCAL
LAW ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 18B of the General Statutes is amended by adding a new section to read:

"§ 18B-506 Entry of licensed premises by other local law enforcement officers.

(a) Notwithstanding any other provision of this Article, local law enforcement officers may enter any licensed premises for which an ABC permit has been issued. Officers may enter at any time that the premises are open for business and may take enforcement action for any violation of law observed while on the premises.

(b) Pursuant to this section, local law enforcement officers shall not:

(1) Conduct an examination of the books or records of the permittee;

(2) Enforce ABC administrative regulations; or

(3) Enter the premises of a private club, as defined in G.S. 18B-1000(5) or a residential private club, as defined in G.S. 18B-1000(5a).

(c) Refusal by a permittee or by any employee of a permittee to permit officers to enter the premises as authorized by subsection (a) of this section shall be cause for revocation, suspension, or other action against the permit of the permittee as provided in

- 1 G.S. 18B-104. It shall be a Class 2 misdemeanor for any person to resist or obstruct an
2 officer attempting to make a lawful entry pursuant to this section."
3 Sec. 2. This act is effective upon ratification.