

## Session 115 - (2003-2004)

### **S\*0407 (Rat #0139, Act #0070 of 2003) General Bill, By Richardson, Hutto and Moore**

#### **Summary:** Wine samplings

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-1640 SO AS TO PROVIDE AN ESTABLISHMENT LICENSED TO SERVE MINIBOTTLES IS AUTHORIZED TO CONDUCT SAMPLINGS OF WINES IN EXCESS OF SIXTEEN PERCENT ALCOHOL, CORDIALS, AND DISTILLED SPIRITS, IF THE SAMPLING IS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 12-21-1010, RELATING TO DEFINITIONS FOR PURPOSES OF THE BEER AND WINE TAX, SO AS TO DELETE THE DEFINITION OF "DOMESTIC WINE"; TO ADD SECTION 61-2-135 SO AS TO PROVIDE THAT WHEN A PERSON LICENSED TO SELL ALCOHOLIC LIQUOR OR BEER AND WINE MOVES HIS BUSINESS TO A NEW LOCATION IN THE SAME COUNTY THAT WAS LICENSED IN THE SAME MANNER WITHIN NINETY DAYS OF THE TIME OF THE MOVE, THE PERSON MAY USE HIS CURRENT LICENSE AND IS NOT REQUIRED TO INITIATE A NEW APPLICATION UPON APPROVAL BY THE DEPARTMENT; TO AMEND SECTION 61-4-120, RELATING TO SUNDAY SALES OF BEER AND WINE, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT MUNICIPAL ORDINANCES IN CONFLICT WITH THIS SECTION ARE UNENFORCEABLE; TO AMEND SECTION 61-4-510, AS AMENDED, RELATING TO OFF-PREMISES BEER AND WINE PERMITS SO AS TO FURTHER PROVIDE FOR THE CONDITIONS AND SPECIFICATIONS OF THE PERMITS; TO AMEND SECTION 61-4-520, AS AMENDED, RELATING TO CONDITIONS FOR THE ISSUANCE OF BEER AND WINE PERMITS, SO AS TO REVISE THE SIGN REQUIREMENTS IN REGARD TO NOTICES; TO AMEND SECTION 61-4-1510, RELATING TO APPLICATIONS FOR PERMITS TO OPERATE A BREWERY OR WINERY, SO AS TO REVISE THE FEES AND THE EXPIRATION DATES OF THESE PERMITS; TO AMEND SECTION 61-6-180, RELATING TO NOTICE OF APPLICATIONS FOR CERTAIN ALCOHOLIC LIQUOR AND BEVERAGE LICENSES, SO AS TO REVISE THE SIGN REQUIREMENTS IN REGARD TO THIS NOTICE; TO AMEND SECTION 61-6-500, RELATING TO TEMPORARY PERMITS FOR AUDITORIUMS, COLISEUMS, AND ARMORIES, SO AS TO PERMIT THE AUTHORITIES IN CHARGE OF PUBLICLY-OWNED AUDITORIUMS, COLISEUMS, AND ARMORIES TO ALLOW THE CONSUMPTION OF BEER, WINE, AND ALCOHOLIC LIQUOR UNDER CERTAIN CONDITIONS, AND PROVIDE PENALTIES FOR VIOLATION; TO AMEND SECTION 61-6-1510, RELATING TO SEPARATE STORES OR PLACES OF BUSINESS OF RETAIL DEALERS, SO AS TO REVISE THE SIGNAGE REQUIREMENTS AND PROHIBIT CERTAIN ADVERTISING TO MINORS; TO AMEND SECTION 61-6-1600, RELATING TO MINIBOTTLE LICENSES FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT AN EMPLOYEE OR AGENT OF AN ESTABLISHMENT LICENSED AS A NONPROFIT ORGANIZATION IS PROHIBITED FROM SELLING, MAKING AVAILABLE FOR SALE, OR PERMITTING THE CONSUMPTION OF ALCOHOLIC LIQUORS ON THE LICENSED PREMISES BETWEEN THE HOURS OF TWO O'CLOCK IN THE MORNING AND TEN O'CLOCK IN THE MORNING; TO AMEND SECTION 61-6-1610, RELATING TO MINIBOTTLE LICENSES FOR FOOD SERVICE ESTABLISHMENTS OR PLACES OF LODGING, SO AS TO REVISE THE AREAS OF THE ESTABLISHMENT TO WHICH THE LICENSE APPLIES, TO PROVIDE ANY LICENSEE, EMPLOYEE, OR AGENT OF AN ESTABLISHMENT LICENSED AS A FOOD SERVICE ESTABLISHMENT OR PLACE OF LODGING IS PROHIBITED FROM SELLING, MAKING AVAILABLE FOR SALE, OR PERMITTING THE CONSUMPTION OF ALCOHOLIC LIQUORS ON THE LICENSED PREMISES BETWEEN THE HOURS OF TWO O'CLOCK IN THE MORNING AND TEN O'CLOCK IN THE MORNING AND TO PROVIDE THAT ANY LICENSEE, EMPLOYEE, OR AGENT OF AN ESTABLISHMENT LICENSED AS A FOOD SERVICE ESTABLISHMENT OR PLACE OF LODGING IS PROHIBITED FROM SELLING, MAKING AVAILABLE FOR SALE, OR PERMITTING THE CONSUMPTION OF ALCOHOLIC LIQUORS ON SUNDAY UNLESS THE ESTABLISHMENT HAS BEEN ISSUED FOR THAT SUNDAY A TEMPORARY PERMIT; TO AMEND SECTION 61-6-1820, AS AMENDED, RELATING TO CRITERIA FOR MINIBOTTLE LICENSES, SO AS TO REVISE THE SIGN REQUIREMENTS IN REGARD TO NOTICES; TO AMEND SECTION 61-6-2010, AS AMENDED, RELATING TO TEMPORARY MINIBOTTLE PERMITS UPON A REFERENDUM, SO AS TO PROVIDE THAT THE STATE TREASURER SHALL DISTRIBUTE THE FEES FROM SUCH PERMITS AND REVISE THE REFERENDUM PROVISIONS; TO AMEND SECTION 61-6-4010, RELATING TO UNLAWFUL MANUFACTURE OR POSSESSION OF ALCOHOLIC LIQUOR, SO AS TO FURTHER PROVIDE FOR SUCH OFFENSES; TO AMEND SECTION 61-6-4170, RELATING TO THE UNLAWFUL ADVERTISING OF ALCOHOLIC LIQUOR ON BILLBOARDS ALONG PUBLIC STREETS AND HIGHWAYS, SO AS TO REVISE THIS PROHIBITION BY MAKING IT UNLAWFUL FOR A PERSON TO ADVERTISE ALCOHOLIC LIQUORS BY MEANS OF BILLBOARDS ALONG PUBLIC HIGHWAYS AND STREETS BY USING ANY SUBJECT MATTER, LANGUAGE, OR SLOGAN ADDRESSED TO AND INTENDED TO ENCOURAGE PERSONS UNDER TWENTY-ONE YEARS OF AGE TO PURCHASE OR DRINK ALCOHOLIC LIQUORS; AND TO REPEAL SECTION 12-21-1040 RELATING TO TAXES ON CERTAIN DOMESTIC WINES. - ratified title

**02/20/03 Senate Introduced and read first time SJ-3**

02/20/03	Senate	Referred to Committee on Judiciary SJ-3
03/26/03	Senate	Committee report: Favorable with amendment Judiciary SJ-35
03/27/03	Senate	Amended SJ-79
03/27/03	Senate	Read second time SJ-79
04/23/03	Senate	Read third time and sent to House SJ-31
04/24/03	House	Introduced and read first time HJ-18
04/24/03	House	Referred to Committee on Judiciary HJ-18
05/28/03	House	Committee report: Favorable with amendment Judiciary HJ-3
06/03/03	House	Debate adjourned HJ-68
06/03/03	House	Reconsidered HJ-69
06/03/03	House	Amended HJ-70
06/03/03	House	Read second time HJ-71
06/04/03	House	Read third time and returned to Senate with amendments HJ-13
06/05/03	Senate	House amendment amended SJ-64
06/05/03	Senate	Returned to House with amendments SJ-64
06/05/03	House	Concurred in Senate amendment and enrolled HJ-279
06/05/03		Ratified R 139
06/25/03		Signed By Governor
07/01/03		Copies available
07/01/03		Effective date 06/25/03
07/02/03		Act No. 70