**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3385**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. D.C. Moss, V.S. Moss, Harrison, Delleney, Gambrell, Harrell, Hiott, Hixon, Lucas and Norman

Document Path: l:\council\bills\ms\7097ahb11.docx

Introduced in the House on January 20, 2011

Introduced in the Senate on January 10, 2012

Last Amended on June 1, 2011

Currently residing in the Senate

Summary: Alcoholic liquors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/20/2011 House Introduced and read first time ([House Journal‑page 4](file:///h:\hj%20archive\2011\01-20-11.docx))

1/20/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 4](file:///h:\hj%20archive\2011\01-20-11.docx))

5/18/2011 House Committee report: Favorable **Judiciary** ([House Journal‑page 62](file:///h:\hj%20archive\2011\05-18-11.docx))

5/24/2011 House Debate adjourned ([House Journal‑page 69](file:///h:\hj%20archive\2011\05-24-11.docx))

5/25/2011 House Amended ([House Journal‑page 71](file:///h:\hj%20archive\2011\05-25-11.docx))

5/25/2011 House Requests for debate‑Rep(s). Crawford, Hart, King, JH Neal, Knight, Cobb‑Hunter, Ott, Ballentine, Daning, Erickson, RL Brown, Taylor, Hixon, JR Smith, Weeks, Owens, Agnew, Gilliard, GR Smith, Barfield, Pope, Nanney, Anderson, Corbin, Mitchell, Hearn, Jefferson, and Williams ([House Journal‑page 72](file:///h:\hj%20archive\2011\05-25-11.docx))

5/26/2011 House Debate adjourned until Tuesday, May 31, 2011 ([House Journal‑page 34](file:///h:\hj%20archive\2011\05-26-11.docx))

6/1/2011 House Amended ([House Journal‑page 45](file:///h:\hj%20archive\2011\06-01-11.docx))

6/1/2011 House Read second time ([House Journal‑page 45](file:///h:\hj%20archive\2011\06-01-11.docx))

6/1/2011 House Roll call Yeas‑91 Nays‑14 ([House Journal‑page 45](file:///h:\hj%20archive\2011\06-01-11.docx))

6/2/2011 House Read third time and sent to Senate ([House Journal‑page 48](file:///h:\hj%20archive\2011\06-02-11.docx))

1/10/2012 Senate Introduced and read first time ([Senate Journal‑page 42](file:///h:\sj%20archive\2012\01-10-12.docx))

1/10/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 42](file:///h:\sj%20archive\2012\01-10-12.docx))

1/17/2012 Senate Referred to Subcommittee: Campbell (ch), Cleary, Williams, Nicholson, Gregory

4/11/2012 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 22](file:///h:\sj%20archive\2012\04-11-12.docx))

6/6/2012 Senate Read second time ([Senate Journal‑page 116](file:///h:\sj%20archive\2012\06-06-12.docx))

**VERSIONS OF THIS BILL**

[1/20/2011](file:///p:\pprever\2011-12\3385_20110120.docx)

[5/18/2011](file:///p:\pprever\2011-12\3385_20110518.docx)

[5/25/2011](file:///p:\pprever\2011-12\3385_20110525.docx)

[6/1/2011](file:///p:\pprever\2011-12\3385_20110601.docx)

[4/11/2012](file:///p:\pprever\2011-12\3385_20120411.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 11, 2012

**H. 3385**

Introduced by Reps. D.C. Moss, V.S. Moss, Harrison, Delleney, Gambrell, Harrell, Hiott, Hixon, Lucas and Norman

S. Printed 4/11/12--S.

Read the first time January 10, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3385) to amend Section 61‑6‑4160, Code of Laws of South Carolina, 1976, relating to the unlawful sale of alcoholic liquors on Sundays and election days, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 28-30 in their entirety and inserting the following:

/ and order ~~or public morals and decorum~~. It is unlawful for retail liquor stores to sell liquors on Christmas Day. Full authority to proclaim these periods is conferred upon the /

Amend the bill further, as and if amended, by striking SECTION 2, page 1, lines 41-42 and page 2, lines 2-9 in their entirety.

Renumber sections to conform.

Amend title to conform.

PAUL G. CAMPBELL for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Corrections

The department indicates that this bill will have a minimal fiscal impact on the General Fund of the State, which the agency can absorb at their current level of funding

Judicial Department

Department of Probation, Parole and Pardon Services

The departments indicate that this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

Department of Revenue

The agency has been forwarded a copy of the bill, but to date, has not submitted impact of the proposed bill.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 61‑6‑4160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL SALE OF ALCOHOLIC LIQUORS ON SUNDAYS AND ELECTION DAYS, SO AS TO INCLUDE CHRISTMAS DAY AND THANKSGIVING DAY IN THE PURVIEW OF THE STATUTE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 61‑6‑4160 of the 1976 Code is amended to read:

“Section 61‑6‑4160. It is unlawful to sell alcoholic liquors on Sunday except as authorized by law, ~~on statewide election days,~~ or during periods proclaimed by the Governor in the interest of law and order ~~or public morals and decorum~~. It is unlawful for retail liquor stores to sell liquors on Christmas Day and Thanksgiving Day. Full authority to proclaim these periods is conferred upon the Governor in addition to all his other powers. A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

(b) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

(c) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.”

SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑630. Notwithstanding any other provision of law, an establishment possessing a beer and wine permit that is located in a county or municipality that has conducted a favorable referendum allowing the sale and consumption of alcoholic liquors by the drink on Sunday under the provisions of Section 61‑6‑2010, during those same hours authorized by permits issued under Section 61‑6‑2010, may sell, possess, and permit the consumption of beer and wine on the premises.”

SECTION 3. This act takes effect upon approval by the Governor.

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