**South Carolina General Assembly**

119th Session, 2011-2012

**A121, R129, H3630**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bedingfield, Loftis, Hardwick and McLeod

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Introduced in the House on February 8, 2011

Introduced in the Senate on May 24, 2011

Last Amended on January 31, 2012

Passed by the General Assembly on February 7, 2012

Governor's Action: February 22, 2012, Signed

Summary: Wine requirements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/8/2011 House Introduced and read first time ([House Journal‑page 54](file:///h:\hj%20archive\2011\02-08-11.docx))

2/8/2011 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 54](file:///h:\hj%20archive\2011\02-08-11.docx))

5/12/2011 House Recalled from Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 17](file:///h:\hj%20archive\2011\05-12-11.docx))

5/18/2011 House Amended ([House Journal‑page 17](file:///h:\hj%20archive\2011\05-18-11.docx))

5/18/2011 House Read second time ([House Journal‑page 17](file:///h:\hj%20archive\2011\05-18-11.docx))

5/18/2011 House Roll call Yeas‑103 Nays‑1 ([House Journal‑page 17](file:///h:\hj%20archive\2011\05-18-11.docx))

5/19/2011 House Read third time and sent to Senate ([House Journal‑page 11](file:///h:\hj%20archive\2011\05-19-11.docx))

5/24/2011 Senate Introduced and read first time ([Senate Journal‑page 17](file:///h:\sj%20archive\2011\05-24-11.docx))

5/24/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 17](file:///h:\sj%20archive\2011\05-24-11.docx))

5/26/2011 Senate Polled out of committee **Judiciary** ([Senate Journal‑page 21](file:///h:\sj%20archive\2011\05-26-11.docx))

5/26/2011 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 21](file:///h:\sj%20archive\2011\05-26-11.docx))

6/1/2011 Senate Amended ([Senate Journal‑page 85](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Read second time ([Senate Journal‑page 85](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Roll call Ayes‑38 Nays‑0 ([Senate Journal‑page 85](file:///h:\sj%20archive\2011\06-01-11.docx))

1/31/2012 Senate Amended ([Senate Journal‑page 21](file:///h:\sj%20archive\2012\01-31-12.docx))

1/31/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 21](file:///h:\sj%20archive\2012\01-31-12.docx))

1/31/2012 Senate Roll call Ayes‑30 Nays‑0 ([Senate Journal‑page 21](file:///h:\sj%20archive\2012\01-31-12.docx))

2/1/2012 Scrivener's error corrected

2/7/2012 House Concurred in Senate amendment and enrolled ([House Journal‑page 33](file:///h:\hj%20archive\2012\02-07-12.docx))

2/7/2012 House Roll call Yeas‑98 Nays‑0 ([House Journal‑page 33](file:///h:\hj%20archive\2012\02-07-12.docx))

2/21/2012 Ratified R 129

2/22/2012 Signed By Governor

2/29/2012 Effective date 02/22/12

3/6/2012 Act No. 121

**VERSIONS OF THIS BILL**

[2/8/2011](file:///p:\pprever\2011-12\3630_20110208.docx)

[5/12/2011](file:///p:\pprever\2011-12\3630_20110512.docx)

[5/18/2011](file:///p:\pprever\2011-12\3630_20110518.docx)

[5/26/2011](file:///p:\pprever\2011-12\3630_20110526.docx)

[6/1/2011](file:///p:\pprever\2011-12\3630_20110601.docx)

[1/31/2012](file:///p:\pprever\2011-12\3630_20120131.docx)

[2/1/2012](file:///p:\pprever\2011-12\3630_20120201.docx)

(A121, R129, H3630)

**AN ACT TO AMEND SECTION 61‑4‑720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OF WINE BY A LICENSED WINERY LOCATED IN SOUTH CAROLINA, SO AS TO ELIMINATE THE REQUIREMENT THAT A MAJORITY OF THE JUICE USED IN THE WINE BE DERIVED FROM FRUIT OR BERRIES GROWN IN THIS STATE; AND TO AMEND SECTION 61‑4‑730, RELATING TO THE SALE OF WINE BY PERMITTED WINERIES, SO AS TO ALLOW A PERMITTED WINERY THAT PRODUCES AND SELLS WINE PRODUCED ON ITS PREMISES TO SELL THE WINE, UNDER CERTAIN CIRCUMSTANCES, AT RETAIL, WHOLESALE, OR BOTH, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A PERMITTED WINERY IS NOT DEEMED A WHOLESALER OF WINE AND MUST USE A LICENSED SOUTH CAROLINA WHOLESALER TO DELIVER OR SHIP WINE TO LICENSED RETAILERS, AND TO PROVIDE PENALTIES.**

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

**Sale of wine by winery located in South Carolina**

SECTION 1. Section 61‑4‑720 of the 1976 Code is amended to read:

“Section 61‑4‑720. Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as the wine is produced on its premises and contains an alcoholic content of sixteen percent or less. These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.”

**Sales by permitted wineries**

SECTION 2. Section 61‑4‑730 of the 1976 Code is amended to read:

“Section 61‑4‑730. (A) Permitted wineries that produce and sell wine produced on its premises with at least sixty percent of the juice from fruit and berries that are grown in this State may sell the wine at retail, wholesale, or both, and deliver or ship the wine to licensed retailers in this State or to consumer homes in and outside the State. Wine must be delivered between 7:00 a.m. and 7:00 p.m.

(B) Permitted wineries that produce and sell wine produced on their premises with less than sixty percent of the juice from fruit and berries that are grown in this State may retail from the winery and ship the wine directly to consumer homes in and outside the State, but these wineries are not wholesalers of the wine. These wineries shall use a licensed South Carolina wholesaler to deliver or ship the wine to licensed retailers in this State.

(C) The South Carolina Department of Agriculture shall periodically inspect the records of permitted wineries for verification of the percentage of juice from fruit and berries grown in this State used in the manufacturing of the wineries’ products. Within ten days of conducting an inspection, the South Carolina Department of Agriculture shall report its findings to the South Carolina Department of Revenue. If a winery is found to be in violation of this statute, the owner of the winery is subject to penalties pursuant to Section 61‑4‑780.”

**Time effective**

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

Ratified the 21st day of February, 2012.

Approved the 22nd day of February, 2012.

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