**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3575**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson‑Myers, Stavrinakis, Davis and Kimmons

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Companion/Similar bill(s): 367

Introduced in the House on January 12, 2021

Introduced in the Senate on March 16, 2021

Last Amended on March 11, 2021

Currently residing in the Senate

Summary: Alcohol

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 244](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 244](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Caskey

2/17/2021 House Member(s) request name added as sponsor: Herbkersman

2/18/2021 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 53](file:///h:\hj\20210218.docx))

2/19/2021 Scrivener's error corrected

2/23/2021 House Member(s) request name added as sponsor: Martin, M.M.Smith, Wheeler, Brittain

2/24/2021 House Member(s) request name added as sponsor: Hewitt

2/24/2021 House Requests for debate‑Rep(s).  Hiott, Long, Haddon, Fry, Hewitt, Crawford, McGinnis, Hardee, McCravy, B Cox, Carter, Hixon, DC Moss, GR Smith, Magnuson, Chumley, Burns, Elliott, R Williams, Jefferson ([House Journal‑page 28](file:///h:\hj\20210224.docx))

2/25/2021 House Member(s) request name added as sponsor: Erickson, Bradley

3/3/2021 House Member(s) request name added as sponsor: Henderson‑Myers

3/9/2021 House Member(s) request name added as sponsor: Stavrinakis

3/10/2021 House Member(s) request name added as sponsor: Davis, Kimmons

3/11/2021 House Amended ([House Journal‑page 32](file:///h:\hj\20210311.docx))

3/11/2021 House Read second time ([House Journal‑page 32](file:///h:\hj\20210311.docx))

3/11/2021 House Roll call Yeas‑99 Nays‑14 ([House Journal‑page 34](file:///h:\hj\20210311.docx))

3/11/2021 House Unanimous consent for third reading on next legislative day ([House Journal‑page 35](file:///h:\hj\20210311.docx))

3/12/2021 House Read third time and sent to Senate ([House Journal‑page 2](file:///h:\hj\20210312.docx))

3/16/2021 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj\20210316.docx))

3/16/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h:\sj\20210316.docx))

5/5/2021 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 9](file:///h:\sj\20210505.docx))

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**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3575_20201216.docx)

[2/18/2021](file:///p:\pprever\2021-22\3575_20210218.docx)

[2/19/2021](file:///p:\pprever\2021-22\3575_20210219.docx)

[3/11/2021](file:///p:\pprever\2021-22\3575_20210311.docx)

[5/5/2021](file:///p:\pprever\2021-22\3575_20210505.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 5, 2021

**H. 3575**

Introduced by Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson‑Myers, Stavrinakis, Davis and Kimmons

S. Printed 5/5/21--S.

Read the first time March 16, 2021.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3575) to amend the Code of Laws of South Carolina, 1976, by adding Section 61‑4‑45 so as to allow a qualifying retailer to offer curbside delivery or pickup, etc., respectfully

**REPORT:**

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

LUKE A. RANKIN for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61‑2‑170, RELATING TO DRIVE‑THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑45. (A) The department may issue a license or permit allowing a retailer to offer curbside delivery or pick up through curbside service of beer or wine if the retailer:

(1) has a clearly designated curbside area abutting or adjacent to or in close proximity to its business;

(2) requires a customer to provide a valid government‑issued identification at the time of pickup;

(3) prohibits the use of curbside delivery or curbside pickup service by an intoxicated person or a person under the age of twenty‑one; and

(4) requires the employee delivering sealed containers of beer or wine to a customer’s vehicle to be eighteen years or older.

(B) The curbside delivery and pickup of alcoholic liquors is prohibited.

(C) The section may not be interpreted to authorize:

(1) the curbside delivery or pick up through curbside service of open containers of beer or wine;

(2) the delivery of alcohol including delivery through a third‑party delivery service; or

(3) the drive‑through pickup of beer or wine.”

SECTION 2. Section 61‑2‑170 of the 1976 Code is amended to read:

“Section 61‑2‑170. Except as otherwise provided for in Section 61‑4‑45, the department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for on or off premises consumption which authorize alcoholic liquors, beer, or wine to be sold on a drive‑through or curb service basis.”

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

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