

## Session 117 - (2007-2008)

**S\*0213 (Rat #0156, Act #0103 of 2007) General Bill, By Lourie, Hayes, Fair, Setzler, Courson, Vaughn, Cromer, Leatherman, McGill, Knotts, Alexander and Williams**

**Similar (H 3138)**

**Summary:** Prevention of Underage Drinking and Access to Alcohol Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "PREVENTION OF UNDERAGE DRINKING AND ACCESS TO ALCOHOL ACT OF 2007" SO AS TO ADD ARTICLE 19 TO CHAPTER 4, TITLE 61 TO REQUIRE THE REGISTRATION OF KEGS, TO DEFINE TERMS ASSOCIATED WITH THE ARTICLE, TO PROVIDE A PROCEDURE FOR THE REGISTRATION OF KEGS, AND TO PROVIDE FINES FOR VIOLATIONS; BY ADDING SECTION 61-6-4075 SO AS TO CREATE THE OFFENSE OF ILLEGAL PURCHASE OF ALCOHOLIC LIQUORS FOR ANOTHER'S CONSUMPTION ON THE PREMISES AND TO PROVIDE A PENALTY; BY ADDING SECTION 61-6-4085 SO AS TO REQUIRE CRIMINAL CHARGES TO BE BROUGHT AGAINST BOTH THE SELLER AND PURCHASER REGARDING THE ILLEGAL SALE OF ALCOHOLIC LIQUORS TO MINORS AND TO CREATE AN EXCEPTION FOR THE USE OF MINORS BY LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 20-7-8920 AND 20-7-8925, BOTH AS AMENDED, RELATING TO PURCHASE OR POSSESSION OF BEER, WINE, AND ALCOHOLIC LIQUORS, SO AS TO EQUALIZE THE PENALTIES FOR THE OFFENSES, TO REQUIRE THAT THE VIOLATOR COMPLETE AN ALCOHOL EDUCATION PROGRAM, AND TO PROVIDE AN EXCEPTION FOR THE USE OF MINORS BY LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-1-746, RELATING TO DRIVER'S LICENSE SUSPENSION FOR CERTAIN OFFENSES INVOLVING THE UNLAWFUL PURCHASE OR POSSESSION OF BEER, WINE, OR ALCOHOLIC LIQUORS BY MINORS, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS AND REQUIRE NOTIFICATION OF THE MINOR'S PARENT WHEN THE MINOR'S DRIVER'S LICENSE IS SUSPENDED; TO AMEND SECTION 61-4-50, RELATING TO THE UNLAWFUL SALE OF BEER OR WINE TO MINORS, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS AND TO REQUIRE THE VIOLATOR TO COMPLETE AN ALCOHOL EDUCATION PROGRAM; TO AMEND SECTION 61-4-60, RELATING TO A MINOR'S GIVING FALSE INFORMATION AS TO AGE FOR THE PURPOSE OF PURCHASING BEER OR WINE, SO AS TO INCREASE THE PENALTY SO IT IS EQUAL TO THE SIMILAR OFFENSE INVOLVING ALCOHOLIC LIQUORS; TO AMEND SECTION 61-4-80, RELATING TO THE PURCHASE OF BEER OR WINE FOR ANOTHER'S CONSUMPTION ON THE PREMISES, SO AS TO REVISE THE PENALTIES; TO AMEND SECTION 61-4-90, AS AMENDED, RELATING TO TRANSFER OF BEER OR WINE FOR A MINOR'S CONSUMPTION, SO AS TO REVISE THE PENALTIES AND TO PROVIDE AN EXCEPTION FOR THE USE OF MINORS BY LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 61-4-100, RELATING TO REQUIRING CRIMINAL CHARGES TO BE BROUGHT AGAINST BOTH THE SELLER AND PURCHASER REGARDING THE ILLEGAL SALE AND PURCHASE OF BEER OR WINE BY A MINOR, SO AS TO CREATE AN EXCEPTION FOR THE USE OF MINORS BY LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 61-6-4070, AS AMENDED, RELATING TO TRANSFER OF ALCOHOLIC LIQUORS FOR A MINOR'S CONSUMPTION, SO AS TO REVISE THE PENALTIES AND TO PROVIDE AN EXCEPTION FOR THE USE OF MINORS BY LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO MINORS, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS AND TO REQUIRE THE VIOLATOR TO COMPLETE AN ALCOHOL EDUCATION PROGRAM; TO AMEND SECTION 20-7-320, RELATING TO THE USE OR POSSESSION OF ALCOHOLIC BEVERAGES BY A MINOR IN THE HOME OF HIS PARENTS, SO AS TO REPLACE THE TERM "MINOR" WITH "PERSONS UNDER TWENTY-ONE YEARS OF AGE"; TO AMEND SECTION 59-104-20, RELATING TO THE PALMETTO FELLOWS SCHOLARSHIP PROGRAM, SECTION 59-113-20, RELATING TO TUITION GRANTS, SECTION 59-142-10, RELATING TO NEEDS-BASED GRANTS, AND SECTION 59-149-90, RELATING TO LIFE SCHOLARSHIPS, ALL SO AS TO PROVIDE FOR THE LOSS OF THE SCHOLARSHIP UPON THE SECOND OR SUBSEQUENT ALCOHOL OR DRUG-RELATED OFFENSE RATHER THAN THE FIRST OFFENSE; TO AMEND SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF BEER AND WINE PERMITS, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO CONDUCT AN INVESTIGATION AND MAKE A DEPARTMENTAL DETERMINATION BEFORE A PERMIT IS REVOKED OR SUSPENDED; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO REQUIRE THE COURT TO ORDER AN IGNITION INTERLOCK DEVICE TO BE INSTALLED ON THE VEHICLES OF CERTAIN SUBSEQUENT DRIVING UNDER THE INFLUENCE OFFENDERS, TO PROVIDE FOR THE INTERLOCK DEVICE POINT SYSTEM, AND TO DELINEATE THE METHODS BY WHICH THE SYSTEM AND THE INTERLOCK DEVICE FUND MUST BE MANAGED; TO AMEND SECTION 56-1-400, RELATING TO SUSPENSION OF DRIVER'S LICENSES, SO AS TO PROVIDE A RESTRICTION ON THE LICENSE FOR THE IGNITION INTERLOCK DEVICE REQUIREMENT; AND TO AMEND SECTION 56-5-2949, RELATING TO THE STATE LAW ENFORCEMENT DIVISION'S INTERNET WEB SITE ON

BREATH ALCOHOL TESTING, BREATH SITE VIDEOTAPING, AND IGNITION INTERLOCK DEVICES, SO AS TO DELETE THE REQUIREMENT THAT INFORMATION ON IGNITION INTERLOCK DEVICES BE INCLUDED ON THE WEB SITE. - ratified title

12/13/06 Senate Prefiled  
12/13/06 Senate Referred to Committee on Judiciary  
01/09/07 Senate Introduced and read first time SJ-124  
01/09/07 Senate Referred to Committee on Judiciary SJ-124  
01/17/07 Senate Referred to Subcommittee: Gregory (ch), Elliott, Anderson, Ritchie, Cleary  
03/07/07 Senate Committee report: Favorable with amendment Judiciary SJ-19  
03/08/07 Senate Amended  
03/08/07 Senate Read second time SJ-14  
03/09/07 Senate Scrivener's error corrected  
03/13/07 Senate Read third time and sent to House SJ-22  
03/14/07 House Introduced and read first time HJ-10  
03/14/07 House Referred to Committee on Judiciary HJ-10  
05/24/07 House Committee report: Favorable with amendment Judiciary HJ-16  
05/25/07 House Scrivener's error corrected  
05/30/07 House Requests for debate-Rep(s). Talley, Bales, Herbkersman, Kennedy, Sellers, Hart, Weeks, Agnew, and Hosey HJ-29  
05/31/07 House Amended HJ-46  
05/31/07 House Read second time HJ-61  
05/31/07 House Roll call Yeas-100 Nays-0 HJ-61  
05/31/07 House Unanimous consent for third reading on next legislative day HJ-61  
06/01/07 House Read third time and returned to Senate with amendments HJ-2  
06/01/07 House Scrivener's error corrected  
06/05/07 Senate House amendment amended SJ-44  
06/05/07 Senate Returned to House with amendments SJ-44  
06/06/07 House Scrivener's error corrected  
06/07/07 House Concurred in Senate amendment and enrolled HJ-70  
06/12/07 Ratified R 156  
06/15/07 Signed By Governor  
06/20/07 Copies available  
06/20/07 Effective date See Act for Effective Date  
06/27/07 Act No. 103