

Session 107 - (1987-1988)

H 2726 General Bill, By D.L. Aydlette, E.D. Foxworth and D.E. Winstead

A Bill to abolish the South Carolina Alcoholic Beverage Control Commission as a separate agency or department of state government; to transfer all of the powers, duties, functions, rights, and privileges of the South Carolina Alcoholic Beverage Control Commission to the South Carolina Tax Commission; to provide that the South Carolina Tax Commission shall maintain and operate a Division of Alcoholic Beverage Control for the purposes of administering all of the provisions of law formerly administered by the South Carolina Alcoholic Beverage Control Commission; to provide for the termination of the terms of the members of the South Carolina Alcoholic Beverage Control Commission; to provide for the transfer from the South Carolina Alcoholic Beverage Control Commission to the South Carolina Tax Commission, Division of Alcoholic Beverage Control, of all of the records, files, office equipment, and other property and all personnel considered by the State Budget and Control Board to be necessary for the proper functioning of the Division of Alcoholic Beverage Control of the South Carolina Tax Commission; to provide that wherever the term South Carolina Alcoholic Beverage Control Commission appears or is used in Title 61 of the 1976 Code, or elsewhere in the Code, it must be construed to mean the South Carolina Tax Commission acting through its Division of Alcoholic Beverage Control; to amend Section 61-1-40, Code of Laws of South Carolina, 1976, relating to the transfer of certain powers and duties of the Tax Commission to the Alcoholic Beverage Control Commission, so as to, among other things, delete certain language and provide that all powers and duties under the laws of this State concerning the regulation of alcoholic beverages and beer and wine are vested in the Tax Commission acting through its Division of Alcoholic Beverage Control; to amend Sections 61-1-60, 61-1-65, 61-1-70, 61-1-80, and 61-1-90, relating to the Alcoholic Beverage Control Commission, so as to, among other things, replace references to the Alcoholic Beverage Control Commission with necessary references to the Tax Commission; to amend Section 61-3-20, relating to definitions under the Alcoholic Beverage Control Act, so as to provide that "Commission" means the South Carolina Tax Commission, rather than the South Carolina Alcoholic Beverage Control Commission; to amend Section 61-3-50, relating to functions vested in the Alcoholic Beverage Control Commission under the Alcoholic Beverage Control Act, so as to provide that the functions, duties, and powers set forth in Chapter 3, Chapter 7, and Article 3 of Chapter 13 of Title 61 are vested in the South Carolina Tax Commission rather than the South Carolina Alcoholic Beverage Control Commission; to provide that regulations promulgated by the Alcoholic Beverage Control Commission shall remain in force until modified or rescinded by the Tax Commission; and to repeal Sections 61-1-10, relating to the establishment of the South Carolina Alcoholic Beverage Control Commission and the appointment and terms of its members, 61-1-20, relating to the Chairman of the South Carolina Alcoholic Beverage Control Commission, 61-1-30, relating to prohibited employments and activities for members of the South Carolina Alcoholic Beverage Control Commission, and 61-1-50, relating to the transfer of personnel, records, files, office equipment, and other property of the South Carolina Tax Commission to the Alcoholic Beverage Control Commission.

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03/24/87 House Referred to Committee on Ways and Means HJ-1398

04/07/87 House Tabled in committee