

Session 119 - (2011-2012)

H*3295 (Rat #0101, Act #0067 of 2011) General Bill, By Herbkersman

Summary: Alcoholic permits

AN ACT TO AMEND SECTION 61-6-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO THE "ALCOHOLIC BEVERAGE CONTROL ACT", SO AS TO DEFINE THE TERM "HOMEOWNERS ASSOCIATION CHARTERED AS A NONPROFIT BY THE SECRETARY OF STATE", AND TO PROVIDE THE CONDITIONS REQUIRED FOR A NONPROFIT ORGANIZATION TO COME WITHIN THE MEANING OF THIS DEFINITION; TO AMEND SECTION 61-6-1820, AS AMENDED, RELATING TO THE CRITERIA FOR A NONPROFIT ORGANIZATION TO OBTAIN A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO PROVIDE THAT A HOMEOWNERS ASSOCIATION CHARTERED AS A NONPROFIT ORGANIZATION BY THE SECRETARY OF STATE IS ALSO ELIGIBLE FOR SUCH A LICENSE; BY ADDING SECTION 61-6-2015 SO AS TO PROVIDE THAT A TEMPORARY PERMIT TO SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS WITHOUT REGARD TO THE DAYS OR HOURS OF THESE SALES IS HEREBY AUTHORIZED, TO PROVIDE THAT THESE PERMITS MAY BE ISSUED TO THOSE HOLDERS OF A PERMIT TO SELL BEER AND WINE FOR OFF-PREMISES CONSUMPTION DURING PERIODS OTHER THAN SUNDAY WHO HAVE WITHIN THE LICENSED PREMISES A SEPARATE FOOD-SERVICE ESTABLISHMENT SERVING PREPARED FOOD FOR ON-PREMISES CONSUMPTION, TO PROVIDE THAT THESE PERMITS MAY BE ISSUED ONLY TO QUALIFIED APPLICANTS LOCATED IN A COUNTY OR MUNICIPALITY WHICH PURSUANT TO SECTION 61-6-2010 HAS SUCCESSFULLY HELD A REFERENDUM ALLOWING THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS, AND TO PROVIDE FOR OTHER RELATED MATTERS NECESSARY FOR THE ISSUANCE OF THESE PERMITS INCLUDING THE FEES FOR THE PERMITS AND THEIR DURATION; TO AMEND SECTION 61-6-2010, AS AMENDED, RELATING TO TEMPORARY PERMITS NOT TO EXCEED TWENTY-FOUR HOURS TO ALLOW THE POSSESSION, SALE AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK ON THE PREMISES OF AN ESTABLISHMENT OR ORGANIZATION LICENSED FOR THESE SALES, SO AS TO PROVIDE THAT A BUSINESS ESTABLISHMENT LOCATED WITHIN A BUILDING ON THE GROUNDS OF AN INTERNATIONAL AIRPORT IN THIS STATE WHERE THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK IS PERMITTED ON ITS LICENSED PREMISES MAY APPLY FOR AND RECEIVE A TEMPORARY PERMIT AUTHORIZED BY THIS SECTION TO ALLOW THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS ON ITS LICENSED PREMISES IF ANY COUNTY WITHIN THE TERRITORY OF THE AIRPORT DISTRICT WHICH OPERATES THE INTERNATIONAL AIRPORT OR ANY MUNICIPALITY LOCATED WITHIN THE TERRITORY OF THE DISTRICT HAS APPROVED, BY REFERENDUM, THE ISSUANCE OF THESE TEMPORARY PERMITS; TO AMEND SECTION 61-4-550, AS AMENDED, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS WHICH LIMIT THE ISSUANCE OF THESE SPECIAL PERMITS TO NONPROFIT ORGANIZATIONS, AND FURTHER PROVIDE FOR THE CONDITIONS AND REQUIREMENTS NECESSARY FOR THE ISSUANCE OF THESE SPECIAL PERMITS; TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY LICENSES TO NONPROFIT ORGANIZATIONS TO PURCHASE AND SELL AT A SINGLE OCCASION ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO REVISE THE PROCEDURES AND REQUIREMENTS FOR THE ISSUANCE OF THESE TEMPORARY LICENSES; AND BY ADDING SECTION 61-4-630 SO AS TO PROVIDE THAT 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. - ratified title

01/12/11	House	Introduced and read first time (House Journal-page 25)
01/12/11	House	Referred to Committee on Judiciary (House Journal-page 26)
01/26/11	House	Committee report: Favorable Judiciary (House Journal-page 2)
02/01/11	House	Read second time (House Journal-page 13)
02/01/11	House	Roll call Yeas-54 Nays-46 (House Journal-page 13)
02/02/11	House	Read third time and sent to Senate (House Journal-page 28)
02/02/11	Senate	Introduced and read first time (Senate Journal-page 12)
02/02/11	Senate	Referred to Committee on Judiciary (Senate Journal-page 12)
05/04/11	Senate	Referred to Subcommittee: Davis (ch), Sheheen, Massey

05/11/11	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 17)
05/12/11		Scrivener's error corrected
05/19/11	Senate	Committee Amendment Tabled (Senate Journal-page 20)
05/19/11	Senate	Amended (Senate Journal-page 20)
05/19/11	Senate	Read second time (Senate Journal-page 20)
05/19/11	Senate	Roll call Ayes-40 Nays-2 (Senate Journal-page 20)
05/20/11		Scrivener's error corrected
05/24/11	Senate	Read third time and returned to House with amendments (Senate Journal-page 28)
05/25/11	House	Debate adjourned on amendments (House Journal-page 31)
05/25/11	House	Senate amendment amended (House Journal-page 117)
05/25/11	House	Roll call Yeas-99 Nays-10 (House Journal-page 117)
05/25/11	House	Returned to Senate with amendments (House Journal-page 117)
05/26/11	House	Reconsidered (House Journal-page 20)
05/26/11	House	Senate amendment amended (House Journal-page 21)
05/26/11	House	Roll call Yeas-77 Nays-22 (House Journal-page 21)
05/26/11	House	Returned to Senate with amendments (House Journal-page 21)
06/01/11	Senate	Non-concurrence in House amendment (Senate Journal-page 176)
06/01/11	Senate	Roll call Ayes-40 Nays-2 (Senate Journal-page 176)
06/02/11	House	House insists upon amendment and conference committee appointed Reps. Tallon, Herbkersman, and Merrill (House Journal-page 2)
06/02/11	Senate	Conference committee appointed Hutto, Campbell, and Davis (Senate Journal-page 5)
06/02/11	House	Conference report received and adopted (House Journal-page 77)
06/02/11	House	Roll call Yeas-101 Nays-0 (House Journal-page 77)
06/15/11	Senate	Conference report received and adopted (Senate Journal-page 227)
06/15/11	Senate	Roll call Ayes-28 Nays-10 (Senate Journal-page 227)
06/15/11	Senate	Ordered enrolled for ratification (Senate Journal-page 237)
06/16/11		Ratified R 101
06/17/11		Signed By Governor
06/22/11		Effective date See Act for Effective Date
06/27/11		Act No. 67