

Session 118 - (2009-2010)

S 0020 General Bill, By Fair and Shoopman

Summary: Beer and wine

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A PERSON APPLYING FOR A LICENSE TO SELL BEER AND WINE OR ALCOHOLIC LIQUORS MUST BE A RESIDENT OF THE STATE FOR ONE YEAR; BY ADDING SECTION 61-4-290 SO AS TO STATE THAT THE SHERIFF OR CHIEF OF POLICE OF THE APPROPRIATE MUNICIPALITY OR COUNTY MAY MAKE A RECOMMENDATION IN WRITING FOR DENIAL OF A BEER AND WINE OR ALCOHOLIC LIQUORS LICENSE; TO AMEND SECTIONS 61-2-135 AND 61-2-136, RELATING TO RETAINING AN ALCOHOLIC LIQUOR OR BEER AND WINE LICENSE WHEN A BUSINESS IS RELOCATED, AND TO AMEND SECTION 61-2-160, AS AMENDED, RELATING TO THE ISSUANCE, RENEWAL, OR TRANSFER OF A LICENSE WHEN DELINQUENT TAXES ARE DUE, ALL SO AS TO PROVIDE THAT THE APPROPRIATE PERSON MUST REAPPLY FOR THE LICENSE, THAT RENEWAL OR TRANSFER OF A LICENSE IS NOT AUTOMATIC, AND THE PROVISIONS OF THE APPLICATION PROCESS MUST BE COMPLIED WITH INCLUDING ALLOWING PERSONS AND MUNICIPAL AND COUNTY GOVERNING BODIES TO PROTEST THE ISSUANCE OF THE LICENSE; TO AMEND SECTION 61-4-520, AS AMENDED, RELATING TO REQUIREMENTS FOR RETAIL BEER AND WINE PERMITS, SO AS TO REQUIRE THE DEPARTMENT TO SEND AN AUTHORIZED REPRESENTATIVE TO THE PREMISES TO ASCERTAIN WHETHER THE LOCATION IS UNSUITABLE DUE TO THE PROXIMITY TO RESIDENCES, SCHOOLS, PLAYGROUNDS, OR CHURCHES BEFORE A FINAL DETERMINATION ON WHETHER TO ISSUE A LICENSE IS MADE, TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS, AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTION 61-6-20, AS AMENDED, RELATING TO DEFINITIONS FOR THE PURPOSES OF THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO REVISE THE DEFINITION OF "ALCOHOLIC LIQUORS" OR "ALCOHOLIC BEVERAGES" SO AS TO INCLUDE CERTAIN FLAVORED ALCOHOLIC BEVERAGES; TO AMEND SECTION 61-6-120, AS AMENDED, RELATING TO PROHIBITIONS ON ISSUING ALCOHOLIC LIQUOR LICENSES TO PLACES OF BUSINESS WITHIN A CERTAIN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO AMEND THE METHOD OF COMPUTATION, REMOVE THE EXEMPTION FOR RENEWAL OF LICENSES, AND TO REQUIRE THE DEPARTMENT TO SEND AN AUTHORIZED REPRESENTATIVE TO THE PREMISES TO MAKE THE APPROPRIATE MEASUREMENTS BEFORE A FINAL DETERMINATION ON WHETHER TO ISSUE A LICENSE IS MADE; TO AMEND SECTION 61-6-180, AS AMENDED, RELATING TO NOTICE OF APPLICATION FOR AN ALCOHOLIC LIQUOR LICENSE, SO AS TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS, TO APPLY THE NOTICE REQUIREMENTS TO RENEWALS OF LICENSES, AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTION 61-6-1820, AS AMENDED, RELATING TO NOTICE FOR A LICENSE TO SELL MINIBOTTLES, SO AS TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTIONS 61-4-525, 61-6-185, AND 61-6-1825, ALL AS AMENDED, ALL RELATING TO PROTESTS OF CERTAIN BEER AND WINE, ALCOHOLIC LIQUORS, AND MINIBOTTLE LICENSES, ALL SO AS TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING BODIES TO PROTEST THE ISSUANCE OF THE LICENSES UNDER SIMILAR CIRCUMSTANCES AS PERSONS ALREADY AUTHORIZED TO FILE A PROTEST AND TO ALLOW PERSONS TO COME BEFORE THE APPROPRIATE GOVERNING BODY TO ASK THE BODY TO FILE A WRITTEN PROTEST.

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