**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3920**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bales

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Introduced in the House on April 22, 2009

Currently residing in the House Committee on **Judiciary**

Summary: Alcohol permits

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/22/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑14

4/22/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑14

**VERSIONS OF THIS BILL**

[4/22/2009](file:///p:\pprever\2009-10\3920_20090422.docx)

**A** **BILL**

TO AMEND SECTION 61‑4‑520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR RETAIL PERMITS REGARDING BEER AND WINE, SO AS TO ADD AN ADDITIONAL REQUIREMENT THAT THE LOCATION OF THE PLACE OF BUSINESS NOT BE WITHIN THREE HUNDRED FEET OF A RESIDENCE; AND TO AMEND SECTION 61‑6‑120, RELATING TO THE ISSUANCE OF RETAIL PERMITS REGARDING ALCOHOLIC LIQUORS, SO AS TO PROHIBIT THE ISSUANCE OF A LICENSE WHEN THE PLACE OF BUSINESS IS WITHIN A CERTAIN DISTANCE OF A RESIDENCE AND TO DEFINE THE TERM “RESIDENCE”.

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

SECTION 1. Section 61‑4‑520(5) of the 1976 Code is amended to read:

“(5) The location of the proposed place of business of the applicant is in the opinion of the department a proper one and not within three hundred feet of a residence.”

SECTION 2. Section 61‑6‑120(A) of the 1976 Code is amended to read:

“(A) The department ~~shall~~ may not grant or issue any license provided for in this article or Article 7 ~~of this chapter~~, if the place of business is within three hundred feet of any church, school, ~~or~~ playground, or residence situated within a municipality or within five hundred feet of any church, school, ~~or~~ playground, or residence situated outside of a municipality. ~~Such~~ This distance ~~shall~~ must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of ~~such~~ any church, school, ~~or~~ playground, or residence which~~, as used herein, shall be~~ is defined as follows:

(1) ‘Church’~~,~~ means an establishment, other than a private dwelling, where religious services are usually conducted~~;~~.

(2) ‘School’~~,~~ means an establishment, other than a private dwelling where the usual processes of education are usually conducted~~; and~~.

(3) ‘Playground’~~,~~ means a place, other than grounds at a private dwelling, which is provided by the public or members of a community for recreation.

(4) ‘Residence’ means real property, or a portion of real property, used or occupied and intended, arranged, or designed to be used or occupied as a home, domicile, or sleeping place of one or more persons and includes single‑family residences in which the occupants rent or lease the premises from the owner.

~~The above restrictions do not apply to the renewal of licenses and they do not apply to new applications for locations which are licensed at the time the new application is filed with the department.~~”

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

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