**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4327**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Sottile, Erickson, Whipper, Gilliard, Hardwick, Hearn, Herbkersman, Horne, Hutto, Stavrinakis, Wylie and A.D. Young

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Introduced in the House on January 13, 2010

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

Summary: Sunday sales of beer or wine

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-13-10.docx)‑43

1/13/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-13-10.docx)‑43

**VERSIONS OF THIS BILL**

[1/13/2010](file:///p:\pprever\2009-10\4327_20100113.docx)

**A** **BILL**

TO AMEND SECTION 61‑4‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUNDAY SALES OF WINE OR BEER AND RESTRICTIONS AND EXCEPTIONS, SO AS TO PROVIDE AN ADDITIONAL EXCEPTION AND ALLOW FOR THE ISSUANCE OF A SPECIAL “SEVENTH DAY OPTION” LICENSE UPON PAYMENT OF A FEE TO ESTABLISHMENTS ALREADY LICENSED TO SELL WINE OR BEER IN THE STATE.

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

SECTION 1. Section 61‑4‑120 of the 1976 Code, as last amended by Act 243 of 2008, is further amended to read:

“Section 61‑4‑120. (A) Except as provided in subsection (B), it is unlawful for a person to sell or offer for sale wine or beer in this State between the hours of twelve o’clock Saturday night and sunrise Monday morning. ~~However, an establishment licensed pursuant to Article 5 of Chapter 6 is authorized to sell these products during those hours in which the sale of alcoholic liquors by the drink is lawful.~~ A person who violates the provisions of this ~~section~~ subsection is ~~considered~~ guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. The right of a person to sell wine and beer in this State ~~under~~ pursuant to a license issued by the State must be forfeited and the license revoked upon his conviction of violating the provisions of this ~~section~~ subsection.

(B) Notwithstanding the provisions of subsection (A) ~~and other provisions~~ or another provision of law~~,~~ :

(1) wine may be sold on Sunday if the wine is produced using grapes grown in this State, the grapes are harvested, processed, fermented, bottled, and sold at the same contiguous location, the seller meets all applicable licensing and taxing requirements, and the local governing body of the county or municipality where the sale occurs adopts an ordinance permitting wine sales on Sunday under these limited circumstances~~.~~ ;

(2) an establishment licensed pursuant to Article 5, Chapter 6 is authorized to sell wine or beer in this State during those hours in which the sale of alcoholic liquors by the drink is lawful; and

(3) an establishment licensed to sell wine or beer in this State for on‑premises consumption pursuant to Article 5, Chapter 4 which obtains a special ‘Seventh Day Option’ license as provided in this item, is authorized to sell wine or beer during the same hours as delineated in item (2). The Department of Revenue is directed to make available these special ‘Seventh Day Option’ licenses to establishments already licensed to sell wine or beer in this State upon payment of a fee equal to the fee required by the provisions of Section 61‑4‑500. However, the filing fee provided in Section 61‑4‑500 is not applicable to the ‘Seventh Day Option’ license.”

SECTION 2. This act takes effect upon approval by the Governor.

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