COMMITTEE REPORT

April 20, 2010

**S. 1129**

Introduced by Senator Ryberg

S. Printed 4/20/10--S.

Read the first time February 2, 2010.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 1129) to amend Chapter 150, Title 59 of the 1976 Code, relating to education lottery ticket sales, by adding Section 59‑150‑155 to provide that a person who, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59‑150‑150 of the 1976 Code is amended by adding:

“(D) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells lottery tickets, upon initiating the application for licensure and contract pursuant to this subsection, may be issued a temporary lottery ticket sales license by the commission at the time of the purchase if the applicant currently holds a valid retail lottery ticket sales license and contract for another retail location. A temporary license is valid until a license is approved or denied by the commission as provided in subsections (A) through (C), but in no case is the temporary license valid for more than sixty days from the date of issuance. Notwithstanding the provisions of this subsection, the commission may revoke a temporary license if the applicant fails to pursue a license and contract pursuant to subsections (A) through (C) in a timely manner, as set forth by the commission by regulation. The commission shall collect a fee of twenty‑five dollars for each temporary license sought.”

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

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Lottery Commission reports this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND CHAPTER 150, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION LOTTERY TICKET SALES, BY ADDING SECTION 59‑150‑155 TO PROVIDE THAT A PERSON WHO CURRENTLY HOLDS A RETAIL LOTTERY TICKET SALES LICENSE MAY BE GRANTED A TEMPORARY LICENSE FOR RETAIL LOTTERY TICKET SALES IF HE ACQUIRES ANOTHER RETAIL BUSINESS WHICH SELLS LOTTERY TICKETS, TO PROVIDE THE LENGTH OF TIME A TEMPORARY LICENSE IS VALID, AND TO PROVIDE THE FEE FOR A TEMPORARY LICENSE.

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

SECTION 1. Chapter 150, Title 59 of the 1976 Code is amended by adding:

“Section 59‑150‑155. (A) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells lottery tickets, upon initiating the application process for a permanent lottery tickets sales license and contract, may be issued a temporary lottery ticket sales license by the department at the time of the purchase or acquisition if the location for which the temporary license is sought is not considered by the department to be a public nuisance, and:

(1) the applicant currently holds a valid retail lottery ticket sales license and contract for another retail location; and

(2) the applicant has had a criminal history background check conducted by the State Law Enforcement Division within the past thirty days.

(B) A temporary license issued pursuant to subsection (A) is valid until a permanent license and contract is approved or disapproved by the commission, but in no case is it valid for more than one hundred twenty days from the date of issuance.

(C) Notwithstanding subsection (B), the department may revoke a temporary license if the applicant fails to pursue the permanent license and contract in a timely manner, as set forth by the South Carolina Lottery Commission by regulation.

(D) The commission shall collect a fee of twenty‑five dollars for each temporary license sought. The funds generated by this fee must be deposited in the general fund of the State.”

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

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