**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3138**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on January 13, 2015

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

Summary: Alcoholic beverages

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2014 House Prefiled

12/11/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 110](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 110](file:///h:\HJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3138&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/11/2014](file:///p:\pprever\2015-16\3138_20141211.docx)

**A** **BILL**

TO AMEND SECTION 63‑19‑2440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PURCHASE, CONSUMPTION, AND POSSESSION OF CERTAIN ALCOHOLIC BEVERAGES BY A PERSON UNDER THE AGE OF TWENTY‑ONE, SO AS TO ELIMINATE APPLICATION OF THE SECTION TO CONSUMPTION OF THESE SUBSTANCES.

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

SECTION 1. Section 63‑19‑2440(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person under the age of twenty‑one to purchase, attempt to purchase, ~~consume,~~ or knowingly possess beer, ale, porter, wine, or other similar malt or fermented beverage. Possession is prima facie evidence that it was knowingly possessed. ~~Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty‑one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division.~~ A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.”

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

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