**South Carolina General Assembly**

122nd Session, 2017-2018

**A45, R66, S116**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Rankin and Malloy

Document Path: l:\s-jud\bills\rankin\jud0020.kw.docx

Companion/Similar bill(s): 3932

Introduced in the Senate on January 10, 2017

Introduced in the House on March 22, 2017

Last Amended on March 16, 2017

Passed by the General Assembly on May 11, 2017

Governor's Action: May 19, 2017, Signed

Summary: Alcohol license requirements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Judiciary**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 68](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 68](file:///h:\sj\20170110.docx))

1/26/2017 Senate Referred to Subcommittee: Shealy (ch), Hutto, Senn

2/23/2017 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 16](file:///h:\sj\20170223.docx))

2/28/2017 Scrivener's error corrected

3/16/2017 Senate Committee Amendment Adopted

3/16/2017 Senate Amended ([Senate Journal‑page 22](file:///h:\sj\20170316.docx))

3/16/2017 Senate Read second time ([Senate Journal‑page 22](file:///h:\sj\20170316.docx))

3/16/2017 Senate Roll call Ayes‑40 Nays‑2 ([Senate Journal‑page 22](file:///h:\sj\20170316.docx))

3/17/2017 Scrivener's error corrected

3/21/2017 Senate Read third time and sent to House ([Senate Journal‑page 14](file:///h:\sj\20170321.docx))

3/22/2017 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj\20170322.docx))

3/22/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\hj\20170322.docx))

5/3/2017 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 63](file:///h:\hj\20170503.docx))

5/9/2017 House Requests for debate‑Rep(s). Pitts, Bannister, Clary, Hiott, Magnuson, DC Moss, Long, Hamilton, GR Smith, Chumley, Loftis, McEachern, Douglas, Crawford, Thigpen, Ott, Thayer, West, Hill, King, Hart, McKnight, Crosby, Anderson ([House Journal‑page 72](file:///h:\hj\20170509.docx))

5/10/2017 House Read second time ([House Journal‑page 78](file:///h:\hj\20170510.docx))

5/10/2017 House Roll call Yeas‑85 Nays‑5 ([House Journal‑page 79](file:///h:\hj\20170510.docx))

5/11/2017 House Read third time and enrolled

5/15/2017 Ratified R 66

5/19/2017 Signed By Governor

5/25/2017 Effective date See Act

5/31/2017 Act No. 45

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**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\116_20161213.docx)

[2/23/2017](file:///p:\pprever\2017-18\116_20170223.docx)

[2/28/2017](file:///p:\pprever\2017-18\116_20170228.docx)

[3/16/2017](file:///p:\pprever\2017-18\116_20170316.docx)

[3/17/2017](file:///p:\pprever\2017-18\116_20170317.docx)

[5/3/2017](file:///p:\pprever\2017-18\116_20170503.docx)

(A45, R66, S116)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑2‑145 SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON‑PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE PERMIT OR LICENSE.**

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

**Alcoholic beverages, liability insurance coverage required, on‑premises consumption**

SECTION 1. Chapter 2, Title 61 of the 1976 Code is amended by adding:

“Section 61‑2‑145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on‑premises consumption, which remains open after five o’clock p.m. to sell alcoholic beverages for on‑premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on‑premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on‑premises consumption after five o’clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on‑premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on‑premises consumption after five o’clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement.

(D) For the purposes of this section, the term ‘alcoholic beverages’ means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.”

**Time effective**

SECTION 2. This act takes effect on July 1, 2017, and any person applying for a new biennial permit or license for on‑premises consumption under Title 61 after this date must comply with the provisions of this act at the time of the application. A person renewing a biennial permit or license under Title 61 after this date must comply with the provisions of this act at the time of the renewal.

Ratified the 15th day of May, 2017.

Approved the 19th day of May, 2017.

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