**A** **BILL**

TO AMEND SECTION 61‑6‑720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSING OF BAKERIES USING ALCOHOLIC BEVERAGES AS INGREDIENTS, SO AS TO ALLOW FOR A PERSON WHO DOES NOT EXERCISE DIRECT CONTROL OVER THE PREMISES USED TO PREPARE FOOD ITEMS WITH ALCOHOLIC BEVERAGES AS AN INGREDIENT TO OBTAIN A LICENSE IF THEY PROVIDE CERTAIN DOCUMENTATION.

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

SECTION 1. Section 61‑6‑720 of the 1976 Code is amended to read:

“Section 61‑6‑720. Notwithstanding any other provision of this title, a person who operates in this State a bakery for the preparation of food items, in which food items alcoholic beverages are used as ingredients, and which food items are manufactured for and sold at wholesale, must apply for a special bakery food manufacturer’s license from the department, in accordance with Section 61‑2‑100, to purchase the alcoholic beverages from a wholesaler licensed pursuant to Section 61‑6‑100(2), or from a retailer licensed pursuant to Section 61‑6‑100(3), or from a manufacturer in containers holding greater quantities of alcoholic liquor than wholesalers or retailers have authority to sell. The department must establish the form of the application for the special bakery food manufacturer’s license. A person who operates a bakery in this State but does not exercise direct control over the premises used to prepare food items using alcoholic beverages as an ingredient must be issued a license by the department if the person meets all other license requirements and provides documentation granting the legal right to use the area to prepare the food items such as a deed, lease, sublease, or similar document. The license fee for this biennial license is one thousand dollars. Alcoholic liquor purchased pursuant to this section may only be used in the preparation of food items. The department must revoke the special bakery food manufacturer’s license of any operator which permits the consumption of alcoholic liquor as a beverage of liquor purchased pursuant to this section or which transfers alcoholic liquor purchased pursuant to this section to any other person.”

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

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