**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-270 TO PROVIDE THAT THE DEPARTMENT OF REVENUE, with the assistance of the Department of Health and Environmental Control, shall develop a model recycling program for permit holders for on-premises consumption of beer, wine, or alcoholic liquor by the drink, AND TO PROVIDE THAT THE SAME PERMIT HOLDERS MUST COMPLY WITH THE MODEL PROGRAM BY separatING, storING, and providING for the collection for recycling of all recyclable beverage containers of all beverages sold on the premises.

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

SECTION 1. The 1976 Code is amended by adding:

“Section 61-2-270. (A) The department, with the assistance of the Department of Health and Environmental Control, shall develop a model recycling program for permit holders for on-premises consumption of beer, wine, or alcoholic liquor by the drink. The program shall provide for the separation, storage, and collection for recycling of all beverage containers that are sold on the premises. The department shall provide alternatives to the program if local circumstances prevent the program from being implemented. The department may adopt rules and promulgate regulations to administer the program.

(B)(1) Beginning January 1, 2010, all permit holders for on-premises consumption of beer, wine, or alcoholic liquor by the drink shall separate, store, and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises. A permit holder satisfies the requirements of this section if the permit holder implements a recycling program at least as stringent as the department’s model recycling program.

(2) Failure to comply with the provisions of this subsection shall not be grounds for the revocation of the permit.

(C)(1) Each applicant for a permit for on-premises consumption of beer, wine, or alcoholic liquor by the drink shall prepare and submit with the application a plan for the collection and recycling of all recyclable beverage containers of all beverages to be sold at retail on the premises.

(2) Each holder of a permit for on-premises consumption of beer, wine, or alcoholic liquor by the drink shall prepare and submit with the renewal application a current plan for the collection and recycling of all recyclable beverage containers of all beverages to be sold at retail on the premises.

(D) Any holder of a permit for on-premises consumption of beer, wine, or alcoholic liquor by the drink who is unable to implement a recycling program by January 1, 2010, may apply to the department for a one-year stay of this section. The application shall be made on a form prescribed by the department and shall detail the efforts made by the permit holder to provide for the collection and recycling of all recyclable beverage containers to be sold at retail on the premises.

(E) For each month after January 1, 2010, in which a permit holder has not implemented a recycling program at least as stringent as the department’s model recycling program, the permit holder is subject to a fine of up to five hundred dollars.”

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

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