**South Carolina General Assembly**

119th Session, 2011-2012

**A51, R85, H3249**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, Taylor and G.R. Smith

Document Path: l:\council\bills\ggs\22684zw11.docx

Introduced in the House on January 11, 2011

Introduced in the Senate on March 15, 2011

Last Amended on June 1, 2011

Passed by the General Assembly on June 2, 2011

Governor's Action: June 14, 2011, Signed

Summary: Transportation of alcoholic liquors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/14/2010 House Prefiled

12/14/2010 House Referred to Committee on **Judiciary**

1/11/2011 House Introduced and read first time ([House Journal‑page 100](file:///h:\hj%20archive\2011\01-11-11.docx))

1/11/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 100](file:///h:\hj%20archive\2011\01-11-11.docx))

2/9/2011 Scrivener's error corrected

2/28/2011 Scrivener's error corrected

3/9/2011 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 3](file:///h:\hj%20archive\2011\03-09-11.docx))

3/10/2011 House Amended ([House Journal‑page 25](file:///h:\hj%20archive\2011\03-10-11.docx))

3/10/2011 House Read second time ([House Journal‑page 25](file:///h:\hj%20archive\2011\03-10-11.docx))

3/10/2011 House Unanimous consent for third reading on next legislative day ([House Journal‑page 27](file:///h:\hj%20archive\2011\03-10-11.docx))

3/11/2011 House Read third time and sent to Senate ([House Journal‑page 2](file:///h:\hj%20archive\2011\03-11-11.docx))

3/15/2011 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\03-15-11.docx))

3/15/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\03-15-11.docx))

4/1/2011 Senate Referred to Subcommittee: Hutto (ch), Rose, Shoopman

5/26/2011 Senate Polled out of committee **Judiciary** ([Senate Journal‑page 19](file:///h:\sj%20archive\2011\05-26-11.docx))

5/26/2011 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 19](file:///h:\sj%20archive\2011\05-26-11.docx))

5/27/2011 Scrivener's error corrected

6/1/2011 Senate Committee Amendment Adopted ([Senate Journal‑page 98](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Read second time ([Senate Journal‑page 98](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Roll call Ayes‑39 Nays‑1 ([Senate Journal‑page 98](file:///h:\sj%20archive\2011\06-01-11.docx))

6/2/2011 Senate Read third time and returned to House with amendments ([Senate Journal‑page 13](file:///h:\sj%20archive\2011\06-02-11.docx))

6/2/2011 House Concurred in Senate amendment and enrolled ([House Journal‑page 93](file:///h:\hj%20archive\2011\06-02-11.docx))

6/2/2011 House Roll call Yeas‑95 Nays‑3 ([House Journal‑page 93](file:///h:\hj%20archive\2011\06-02-11.docx))

6/8/2011 Ratified R 85

6/14/2011 Signed By Governor

6/20/2011 Effective date 06/14/11

6/20/2011 Act No. 51

**VERSIONS OF THIS BILL**

[12/14/2010](file:///p:\pprever\2011-12\3249_20101214.docx)

[2/9/2011](file:///p:\pprever\2011-12\3249_20110209.docx)

[2/28/2011](file:///p:\pprever\2011-12\3249_20110228.docx)

[3/9/2011](file:///p:\pprever\2011-12\3249_20110309.docx)

[3/10/2011](file:///p:\pprever\2011-12\3249_20110310.docx)

[5/26/2011](file:///p:\pprever\2011-12\3249_20110526.docx)

[5/27/2011](file:///p:\pprever\2011-12\3249_20110527.docx)

[6/1/2011](file:///p:\pprever\2011-12\3249_20110601.docx)

(A51, R85, H3249)

**AN ACT TO AMEND SECTION 61‑6‑4020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSPORTATION OF ALCOHOLIC LIQUORS IN A MOTOR VEHICLE, SO AS TO CLARIFY THAT THE LUGGAGE COMPARTMENT OR CARGO AREA IN WHICH ONE MAY LAWFULLY TRANSPORT A CONTAINER OF ALCOHOLIC LIQUOR WITH A BROKEN OR OPENED SEAL OR CAP IS NOT LIMITED TO A CLOSED TRUNK THAT IS ACCESSIBLE ONLY FROM THE EXTERIOR OF THE VEHICLE SO LONG AS THE LUGGAGE COMPARTMENT OR CARGO AREA IS SEPARATE AND DISTINCT FROM THE DRIVER’S AND PASSENGERS’ COMPARTMENTS; AND TO PROVIDE THAT SECTIONS 61‑6‑4290 AND 61‑6‑4300 DO NOT APPLY TO VIOLATIONS OF THIS SECTION.**

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

**“Cargo area” clarified, nonsuspension offense**

SECTION 1. Section 61‑6‑4020 of the 1976 Code is amended to read:

“Section 61‑6‑4020. (A) A person who is twenty‑one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed. If the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in a trunk, luggage compartment, or cargo area that is separate and distinct from the driver’s and passengers’ compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

(B) Sections 61‑6‑4290 and 61‑6‑4300 do not apply to violations of this section, including violations prior to the effective date of this section.”

**Time effective**

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

Ratified the 8th day of June, 2011.

Approved the 14th day of June, 2011.

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