**A** **BILL**

TO AMEND SECTION 61‑4‑550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

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

SECTION 1. Section 61‑4‑550 of the 1976 Code, as last amended by Act 259 of 2010, is further amended to read:

“Section 61‑4‑550. (A) The department may issue permits ~~to nonprofit organizations~~ running for a period not exceeding fifteen days for a fee of ten dollars per day. ~~For purposes of this section, a ‘nonprofit organization’ is an entity which is organized and operated exclusively for social, benevolent, patriotic, recreational, or fraternal purposes, and which is exempt from federal income taxes pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19). It also includes political parties and their affiliates duly certified by the Secretary of State.~~ These special permits may be issued only for locations at fairs and special functions.

(B) The department shall require the applicant to obtain a criminal records check conducted by the State Law Enforcement Division within ninety days prior to an initial application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it was obtained more than ninety days before. For a subsequent application, the applicant is not required to obtain a new criminal records check unless:

(1) more than two years have elapsed since the most recent criminal records check was conducted; or

(2) the ~~nonprofit organization~~ applicant has added or replaced a principal. For purposes of this section, all principals are deemed to be the applicant.

(C) The department shall require the applicant to notify in writing a minimum of fifteen days prior to the first day of a fair or special function the sheriff, or sheriff’s designee, of the county in which the fair or special function is to be located. Upon request of the applicant, the sheriff may waive the fifteen day notification requirement. A timely objection within seventy‑two hours of the receipt of the notice by the sheriff, or his official designee, submitted in writing to the department is sufficient grounds to deny the application.

~~(D)~~ ~~Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 1, Chapter 4, Title 61.~~”

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

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