**South Carolina General Assembly**

124th Session, 2021-2022

**S. 367**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Talley, Climer, Turner, Bennett, Kimpson, Fanning, Adams, M. Johnson and Hembree

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Companion/Similar bill(s): 3575

Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Judiciary**

Summary: Alcohol

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 286](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 286](file:///h:\sj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\367_20201209.docx)

**A** **BILL**

TO AMEND SECTION 61-2-170 OF THE 1976 CODE, RELATING TO THE DRIVE‑THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY NOT GENERATE LICENSE FEES TO BE DEPOSITED IN THE GENERAL FUND OF THE STATE THROUGH THE ISSUANCE OF LICENSES OR PERMITS FOR ON-PREMISES OR OFF-PREMISES CONSUMPTION THAT AUTHORIZE ALCOHOLIC LIQUORS TO BE SOLD ON A CURB-SERVICE BASIS, AND TO PROHIBIT ANY DRIVE-THROUGH PICKUP OF BEER OR WINE; AND TO AMEND ARTICLE 1, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO BEER, ALE, PORTER, AND WINE, BY ADDING SECTION 61-4-45, TO PROVIDE REQUIREMENTS FOR THE CURBSIDE DELIVERY, OR PICKUP THROUGH A CURBSIDE SERVICE, OF BEER OR WINE, AND TO PROHIBIT CURBSIDE DELIVERY AND PICKUP OF ALCOHOLIC LIQUORS.

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

SECTION 1. Section 61-2-170 of the 1976 Code is amended to read:

“Section 61-2-170. Except as otherwise provided for in Section 61-4-45, ~~The~~ the department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for ~~on or off premises~~ on-premises or off-premises consumption ~~which~~ that authorize alcoholic liquors~~, beer, or wine~~ to be sold on a drive-through or curb service basis. Pursuant to Section 61-4-45(D), any drive-through pickup of beer or wine is prohibited.”

SECTION 2. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-45. (A) Qualifying retailers may offer curbside delivery, or pickup through a curbside service, of beer or wine under the following conditions:

(1) a retailer must have a clearly designated curbside area abutting or adjacent to its business;

(2) a customer purchasing beer or wine for curbside pickup must provide valid, government-issued identification at the time of pickup proving that he is twenty-one years of age or older;

(3) a retailer shall not allow curbside pickup of beer or wine to an intoxicated person or to anyone under the age of twenty-one; and

(4) an employee delivering sealed containers of beer or wine to customer vehicles for curbside pickup must be eighteen years of age or older.

(B) Curbside delivery and pickup of alcoholic liquors, as defined by Section 61-6-20, is prohibited.

(C) This section does not authorize or apply to open containers or to delivery services, including third-party delivery services.

(D) This section does not authorize drive-through pickup of beer or wine.”

SECTION 3. This act takes effect upon approval by the Governor.

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