

## Session 115 - (2003-2004)

### **S\*0228 (Rat #0092, Act #0040 of 2003) General Bill, By McConnell**

**Summary:** Special foods manufacturer's license, biennial license tax provided

AN ACT TO AMEND CHAPTER 6, TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALCOHOL BEVERAGE CONTROL ACT, BY ADDING SECTION 61-6-710, ESTABLISHING A SPECIAL FOOD MANUFACTURER'S LICENSE TO BE ISSUED BY THE DEPARTMENT OF REVENUE FOR A PERSON WHO MANUFACTURES FOOD ITEMS SUCH AS SAUCES AND MARINADES IN WHICH THERE IS AN ALCOHOLIC BEVERAGE INGREDIENT AND WHO DOES SO UNDER AN AGREEMENT WITH THE ALCOHOLIC BEVERAGE MANUFACTURER, AND TO ALLOW THE PURCHASE OF THE ALCOHOLIC BEVERAGE IN CONTAINERS HOLDING QUANTITIES GREATER THAN THE QUANTITIES SOLD TO THE CONSUMER, AND TO PROVIDE THAT THE DEPARTMENT MUST ESTABLISH THE FORM OF APPLICATION AND CONDITIONS FOR ISSUANCE OF THE LICENSE; TO AMEND SECTION 12-33-210, RELATING TO THE TAXES ON LICENSES ISSUED UNDER TITLE 61, SO AS TO INCLUDE A TAX FOR THE SPECIAL FOOD MANUFACTURER'S LICENSE; TO AMEND SECTION 61-2-175, RELATING TO SHIPPING ALCOHOLIC BEVERAGES INTO THE STATE, SO AS TO PROVIDE THAT ALCOHOLIC BEVERAGES MAY BE SHIPPED DIRECTLY TO A RESIDENT WHO HOLDS A SPECIAL FOOD MANUFACTURER'S LICENSE; TO AMEND SECTION 61-6-2900, RELATING TO THE SHIPMENT OR TRANSFER OF IMPORTED ALCOHOLIC BEVERAGES, SO AS TO PROVIDE THE ALCOHOLIC BEVERAGES MAY BE SHIPPED TO A PERSON HOLDING A SPECIAL FOOD MANUFACTURER'S LICENSE; TO AMEND SECTION 61-6-4050, RELATING TO THE PURCHASE OF ALCOHOLIC LIQUORS FROM LICENSED RETAIL DEALERS SO AS TO ADD ALCOHOLIC LIQUORS PURCHASED PURSUANT TO A SPECIAL FOOD MANUFACTURER'S LICENSE; BY AMENDING SECTION 61-6-1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF ALCOHOLIC LIQUORS, SO AS TO AUTHORIZE A DEALER TO SELL ALCOHOLIC LIQUORS IN CONTAINERS OF ONE HUNDRED MILLILITERS; BY ADDING SECTION 61-4-745 SO AS TO AUTHORIZE A PERSON WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND IS A LEGAL RESIDENT OF THE STATE TO HAVE SHIPPED OR TRANSPORTED FROM A MANUFACTURER OF WINE UP TO TWENTY-FOUR BOTTLES OF WINE EACH MONTH FOR HIS OWN CONSUMPTION WITHOUT ACQUIRING PERMITS OR LICENSES; BY ADDING SECTION 61-4-747 SO AS TO AUTHORIZE A MANUFACTURER OF WINE WITHIN OR OUTSIDE THIS STATE THAT HOLDS A WINE PRODUCER AND BLENDEES BASIC PERMIT ISSUED IN ACCORDANCE WITHIN THE FEDERAL ALCOHOL ADMINISTRATION ACT TO SHIP TO A RESIDENT OF THIS STATE WHO IS AT LEAST TWENTY-ONE YEARS OF AGE UP TO TWENTY-FOUR BOTTLES OF WINE FOR HIS PERSONAL USE AND TO PROVIDE THE CONDITION UNDER WHICH THIS SHIPMENT MUST BE MADE; BY AMENDING SECTION 12-21-1610, RELATING TO THE PROHIBITION AGAINST SHIPPING BEER AND WINE INTO THIS STATE EXCEPT TO A LICENSED BEER AND WINE WHOLESALE DISTRIBUTOR, SO AS TO DELETE THE PROVISIONS WHICH PERMITTED AN INDIVIDUAL TO IMPORT BEER AND WINE INTO THIS STATE FOR PERSONAL USE AND CONSUMPTION; AND TO AMEND SECTION 61-2-80, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO REGULATE THE OPERATION OF RETAIL LOCATIONS AUTHORIZED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS, SO AS TO PROVIDE THAT THE DEPARTMENT OCCUPIES THE ENTIRE FIELD OF BEER, WINE, AND LIQUOR REGULATION EXCEPT AS IT RELATES TO HOURS OF OPERATION MORE RESTRICTIVE THAN THOSE SET FORTH IN TITLE 61. -

ratified title

<b>01/21/03</b>	<b>Senate</b>	<b>Introduced and read first time SJ-231</b>
<b>01/21/03</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-231</b>
<b>02/12/03</b>	<b>Senate</b>	<b>Committee report: Favorable Judiciary SJ-13</b>
<b>02/18/03</b>	<b>Senate</b>	<b>Read second time SJ-16</b>
<b>02/19/03</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-22</b>
<b>02/20/03</b>	<b>House</b>	<b>Introduced and read first time HJ-9</b>
<b>02/20/03</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-10</b>
<b>04/30/03</b>	<b>House</b>	<b>Committee report: Favorable Judiciary HJ-4</b>
<b>05/06/03</b>	<b>House</b>	<b>Read second time HJ-20</b>
<b>05/06/03</b>	<b>House</b>	<b>Reconsidered HJ-26</b>
<b>05/06/03</b>	<b>House</b>	<b>Debate adjourned until Wednesday, May 7, 2003 HJ-27</b>
<b>05/07/03</b>	<b>House</b>	<b>Debate adjourned until Thursday, May 8, 2003 HJ-15</b>
<b>05/08/03</b>	<b>House</b>	<b>Amended HJ-71</b>
<b>05/08/03</b>	<b>House</b>	<b>Read second time HJ-75</b>
<b>05/08/03</b>	<b>House</b>	<b>Unanimous consent for third reading on next legislative day HJ-108</b>
<b>05/09/03</b>	<b>House</b>	<b>Read third time and returned to Senate with amendments HJ-1</b>

05/13/03	Senate	House amendment amended SJ-30
05/13/03		Scrivener's error corrected
05/14/03	Senate	House amendment amended SJ-9
05/14/03	Senate	Returned to House with amendments SJ-9
05/15/03		Scrivener's error corrected
05/19/03		Scrivener's error corrected
05/21/03	House	Concurred in Senate amendment and enrolled HJ-46
05/28/03		Ratified R 92
06/02/03		Signed By Governor
06/05/03		Copies available
06/05/03		Effective date See Act for Effective Date
06/19/03		Act No. 40