

## Session 115 - (2003-2004)

**H 3489 General Bill, By Cotty, Gilham, Clemmons, Witherspoon, Edge, Altman, Barfield, Bingham, R.L. Brown, Chellis, Cooper, Duncan, Govan, Hamilton, Harrison, Herbkersman, M. Hines, Hinson, Keegan, Leach, Limehouse, Littlejohn, Pinson, E.H. Pitts, Rice, Sandifer, Scarborough, F.N. Smith, Stille, Taylor, Toole, Viers and White**

**Similar (S 0089)**

**Summary:** Alcoholic beverages

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-925 SO AS TO PROVIDE FOR A SALES TAX ON THE GROSS PROCEEDS OF THE SALE OF ALCOHOLIC BEVERAGES BY THE DRINK OR BY OTHER SPECIFIED METHODS; TO AMEND SECTION 6-27-40, AS AMENDED, RELATING TO DISTRIBUTIONS FROM THE LOCAL GOVERNMENT FUND, SO AS TO FURTHER PROVIDE FOR THE AMOUNT OF THE DISTRIBUTION TO COUNTIES THAT MUST BE USED FOR ALCOHOL EDUCATION AND ALCOHOLISM AND DRUG REHABILITATION; TO AMEND SECTION 61-6-20, RELATING TO THE DEFINITIONS USED IN THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO PROVIDE A DEFINITION OF "ALCOHOLIC LIQUOR BY THE DRINK"; TO AMEND SECTION 61-6-700, RELATING TO ESTABLISHMENTS WHICH USE ALCOHOLIC BEVERAGES SOLELY IN THE PREPARATION OF FOODS TO BE SERVED BY THE ESTABLISHMENTS, SO AS TO DELETE THE REFERENCE TO MINIBOTTLES; TO AMEND SECTION 61-6-1600, RELATING TO NONPROFIT ORGANIZATIONS BEING LICENSED TO SELL ALCOHOLIC LIQUORS IN MINIBOTTLES, SO AS TO ALSO AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS BY THE DRINK; TO AMEND SECTION 61-6-1610, RELATING TO BUSINESS ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC LIQUORS IN MINIBOTTLES, SO AS TO ALSO AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS BY THE DRINK AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 61-6-1620, RELATING TO RESTRICTIONS ON MINIBOTTLE LICENSEES, SO AS TO DELETE THE RESTRICTIONS AND TO AUTHORIZE THE POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUORS IN CONTAINERS OTHER THAN MINIBOTTLES ON LICENSED PREMISES; BY ADDING SECTION 61-6-1635 SO AS TO PROVIDE THAT ALCOHOLIC LIQUOR SOLD BY THE DRINK MUST BE PURCHASED ONLY FROM SPECIFICALLY LICENSED PERSONS; TO AMEND SECTION 61-6-1825, RELATING TO THE PROCEDURES TO PROTEST THE ISSUANCE OR RENEWAL OF A MINIBOTTLE LICENSE, SO AS TO DELETE THE TERM "MINIBOTTLE" AND TO MAKE THE PROCEDURES APPLY TO ANY BIENNIAL LICENSE FOR ON-PREMISES CONSUMPTION; TO AMEND SECTION 61-6-2000, AND SECTION 61-6-2005, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE LICENSE AUTHORIZES THE SALE OF ALCOHOLIC LIQUORS IN MINIBOTTLES OR BY THE DRINK; TO AMEND SECTION 61-6-2010, AS AMENDED, RELATING TO TEMPORARY PERMITS AUTHORIZED THROUGH A REFERENDUM, SO AS TO REMOVE THE REFERENCES TO ALCOHOLIC LIQUORS "IN SEALED CONTAINERS OF TWO OUNCES OR LESS"; TO AMEND SECTION 61-6-2200, RELATING TO THE AGE OF THE SERVER OF ALCOHOLIC LIQUORS IN ON-PREMISES ESTABLISHMENTS, SO AS TO PROVIDE THE SERVER, WHO IS EIGHTEEN YEARS OF AGE OR OLDER, ALSO MAY SERVE ALCOHOLIC LIQUORS BY THE DRINK AS WELL AS IN MINIBOTTLES; TO AMEND SECTION 61-6-2600, RELATING TO THE PENALTIES FOR VIOLATING ARTICLE 5, CHAPTER 6, TITLE 61, CONCERNING THE REGULATION OF ALCOHOLIC LIQUORS IN MINIBOTTLES, SO AS TO REMOVE THE REFERENCE TO MINIBOTTLES AND TO PROVIDE THAT A PERSON WHO ACTS TO AVOID THE PAYMENT OF THE SALES TAX ON THE SERVING OF ALCOHOLIC BEVERAGES BY THE DRINK IS SUBJECT TO THE PENALTIES OF THIS SECTION; TO AMEND SECTION 61-12-10, AS AMENDED, RELATING TO THE DISTRIBUTION OF CERTAIN REVENUE FOR ALCOHOL AND DRUG PROGRAMS, SO AS TO REVISE A REFERENCE NECESSITATED BY THE ABOVE PROVISIONS; AND TO REPEAL SECTION 12-33-245 RELATING TO THE TWENTY-FIVE CENTS EXCISE TAX ON MINIBOTTLES.

<b>01/30/03</b>	<b>House</b>	<b>Introduced and read first time HJ-20</b>
<b>01/30/03</b>	<b>House</b>	<b>Referred to Committee on Ways and Means HJ-22</b>
<b>05/15/03</b>	<b>House</b>	<b>Committee report: Favorable with amendment Ways and Means HJ-8</b>
<b>05/19/03</b>		<b>Scrivener's error corrected</b>
<b>05/21/03</b>	<b>House</b>	<b>Requests for debate-Rep(s). Kirsh, Thompson, Sandifer, Bailey, Bales, JE Smith, Whitmire, Snow, McLeod, Skelton, Hosey, Leach, Viers, Anthony, Davenport, Hayes, Witherspoon, Neilson, Harrell, Rhoad and Cotty HJ-36</b>
<b>05/27/03</b>	<b>House</b>	<b>Debate adjourned until Tuesday, June 3, 2003 HJ-369</b>
<b>06/03/03</b>	<b>House</b>	<b>Debate adjourned until Wednesday, June 4, 2003 HJ-109</b>
<b>06/04/03</b>	<b>House</b>	<b>Debate adjourned HJ-89</b>
<b>06/04/03</b>	<b>House</b>	<b>Amended HJ-135</b>
<b>06/04/03</b>	<b>House</b>	<b>Read second time HJ-148</b>

06/04/03	House	Roll call Yeas-94 Nays-10 HJ-148
06/05/03	House	Read third time and sent to Senate HJ-13
06/05/03	Senate	Introduced and read first time SJ-57
06/05/03	Senate	Referred to Committee on Judiciary SJ-57
03/23/04	Senate	Recalled from Committee on Judiciary SJ-4
03/24/04		Scrivener's error corrected