

## Session 115 - (2003-2004)

### H 5045 General Bill, By G.M. Smith

**Summary:** Deals with places that sale beer, wine, or tobacco, and requires those businesses to train employees about the lawful age for purchasing such products

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-55 SO AS TO PROVIDE THAT A RETAILER OF BEER AND WINE MUST TRAIN ITS RETAIL SALES EMPLOYEES REGARDING THE LAWFUL AGE FOR PURCHASE OF BEER AND WINE AND TO PROVIDE THAT AN EMPLOYEE OF A RETAILER OF BEER AND WINE WHO IS CONVICTED THREE TIMES OF A VIOLATION OF THE PROVISIONS OF SECTION 61-4-50 MUST BE SUSPENDED FROM SELLING BEER AND WINE FOR ONE YEAR; BY ADDING SECTION 61-4-105 SO AS TO REQUIRE A LAW ENFORCEMENT AGENCY CONDUCTING AN AGE VERIFICATION CHECK AT A RETAIL LOCATION TO NOTIFY THE RETAILER WITHIN TEN DAYS WHETHER THE COMPLIANCE CHECK WAS SATISFACTORY OR UNSATISFACTORY; BY ADDING SECTION 61-4-106 SO AS TO PROVIDE THAT WHENEVER A RETAILER OF BEER AND WINE IS FOUND BY THE DEPARTMENT OF REVENUE TO HAVE SOLD BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY-ONE FOUR OR MORE TIMES WITHIN TWO YEARS, THE RETAILER'S BEER AND WINE PERMIT MUST BE SUSPENDED; AND TO AMEND SECTION 16-17-500, AS AMENDED, RELATING TO SUPPLYING MINORS WITH CIGARETTES SO AS TO PROVIDE A DEFINITION FOR THE TERMS "TOBACCO PRODUCT" AND "PERSON", TO PROVIDE THAT A RETAILER OF TOBACCO PRODUCTS MUST TRAIN ITS RETAIL SALES EMPLOYEES REGARDING THE PROVISIONS OF THIS SECTION, TO PROVIDE THAT AN EMPLOYEE OF A RETAILER OF TOBACCO PRODUCTS WHO IS CONVICTED THREE TIMES OF A VIOLATION OF THE PROVISIONS OF THIS SECTION MUST BE SUSPENDED FROM SELLING TOBACCO PRODUCTS FOR ONE YEAR, TO PROVIDE THAT A PERSON UNDER THE AGE OF EIGHTEEN YEARS OF AGE MAY NOT PURCHASE, ACCEPT RECEIPT, ATTEMPT TO PURCHASE, ATTEMPT TO ACCEPT RECEIPT OF A TOBACCO PRODUCT, OR POSSESS OR OFFER FRAUDULENT PROOF OF AGE FOR THE PURPOSE OF PURCHASING OR POSSESSING A TOBACCO PRODUCT, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY USE MINORS TO TEST A COMMUNITY'S COMPLIANCE WITH THIS SECTION, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS CONTAINED IN THIS SECTION, TO ESTABLISH A PENALTY FOR A VIOLATION OF THIS SECTION BY A PERSON UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT A VIOLATION OF THIS SECTION DOES NOT EFFECT A RETAILER'S BEER AND WINE PERMIT, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF EIGHTEEN CONVICTED OF A VIOLATION OF THIS SECTION MAY HAVE HIS RECORD EXPUNGED WHEN HE ATTAINS THE AGE OF EIGHTEEN AND HAS PAID THE FINE AND COMPLETED COMMUNITY SERVICE.

**03/30/04 House Introduced and read first time HJ-7**

**03/30/04 House Referred to Committee on Judiciary HJ-8**