**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1029**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

Document Path: l:\s-jud\bills\massey\jud0024.pl.docx

Introduced in the Senate on January 12, 2010

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

Summary: Beer or wine permits

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑60

1/12/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑60

1/19/2010 Senate Referred to Subcommittee: Campbell (ch), Cleary, Williams, Mulvaney, Nicholson

**VERSIONS OF THIS BILL**

[1/12/2010](file:///p:\pprever\2009-10\1029_20100112.docx)

**A** **BILL**

TO AMEND SECTION 61‑4‑520, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR PERMITS FOR THE SALE OF BEER OR WINE, AND SECTION 61‑6‑110, RELATING TO REQUIREMENTS FOR LICENSES FOR THE SALE OF ALCOHOLIC LIQUORS; BOTH SO AS TO REQUIRE THAT NO PERMIT OR LICENSE MAY BE ISSUED UNLESS THE APPLICANT PROVIDES WRITTEN VERIFICATION OF LIABILITY INSURANCE COVERAGE.

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

SECTION 1. Section 61‑4‑520 of the 1976 Code, as last amended by Act 161 of 2005, is further amended to read:

“Section 61‑4‑520. (A) A retail permit authorizing the sale of beer or wine must not be issued unless:

(1) The applicant, a partner, or co‑shareholder of the applicant, and each agent, employee, and servant of the applicant to be employed on the licensed premises are of good moral character.

(2) The applicant is a legal resident of the United States, has been a legal resident of this State for at least thirty days before the date of application, and has maintained his principal place of abode in the State for at least thirty days before the date of application.

(3) The applicant, within two years before the date of application, has not had revoked a beer or a wine permit issued to him.

(4) The applicant is twenty‑one years of age or older.

(5) The location of the proposed place of business of the applicant is in the opinion of the department a proper one.

(6) The department may consider, among other factors, as indications of unsuitable location, the proximity to residences, schools, playgrounds, and churches. This item does not apply to locations licensed before April 21, 1986.

(7)(a) Notice of application has appeared at least once a week for three consecutive weeks in a newspaper most likely to give notice to interested citizens of the county, city, or community in which the applicant proposes to engage in business. The department shall determine which newspapers meet the requirements of this section based on available circulation figures. However, if a newspaper is published in the county and historically has been the newspaper where the advertisements are published, the advertisements published in that newspaper meet the requirements of this section. The notice must:

(i) be in the legal notices section of the newspaper or an equivalent section if the newspaper has no legal notices section;

(ii) be in large type, covering a space of one column wide and at least two inches deep; and

(iii) state the type license applied for and the exact location of the proposed business.

(b) An applicant for a beer or wine permit and an alcoholic liquor license may use the same advertisement for both if the advertisement is approved by the department.

(8) Notice has been given by displaying a sign for fifteen days at the site of the proposed business. The sign must:

(a) state the type of permit sought;

(b) state where an interested person may protest the application;

(c) be in bold type;

(d) cover a space at least twelve inches high and eighteen inches wide; and

(e) be posted and removed by an agent of the division.

(B) In addition to the requirements of subsection (A), a retail permit authorizing the sale of beer or wine for on‑premises consumption must not be issued unless the applicant provides to the department written verification of liability insurance coverage.”

SECTION 2. Section 61‑6‑110 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

“Section 61‑6‑110. (A) Unless the department in its discretion otherwise orders, no a person is not eligible for a license under pursuant to this article or Article 7 of this chapter if he or the person who will have actual control and management of the business proposed to be operated:

(1) is less than twenty‑one years of age;

(2) is not a legal resident of the United States and has not been a resident of South Carolina for at least thirty days before the date of application and has maintained his principal place of abode in South Carolina for at least thirty days before the date;

(3) is not of good repute; or

(4) has had a license under pursuant to this or another statute regulating the manufacture or sale of alcoholic liquors which has been revoked within five years preceding the filing of the application.

(B) In addition to the requirements of subsection (A), a license authorizing the sale of alcoholic liquors for on‑premises consumption must not be issued unless the applicant provides to the department written verification of liability insurance coverage.”

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

‑‑‑‑XX‑‑‑‑