**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3034**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hart

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Introduced in the House on January 13, 2009

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

Summary: Beer and wine

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2008 House Prefiled

12/9/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑28

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑28

**VERSIONS OF THIS BILL**

[12/9/2008](file:///p:\pprever\2009-10\3034_20081209.docx)

**A** **BILL**

TO AMEND SECTION 61‑4‑580, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITED ACTS REGARDING THE SALE OF BEER AND WINE, SO AS TO PROHIBIT THE PLACEMENT OF PORTABLE CONTAINERS OR COOLERS CONTAINING BEER OR WINE NEAR DOORS USED FOR INGRESS OR EGRESS FROM A LICENSED ESTABLISHMENT.

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

SECTION 1. Section 61‑4‑580 of the 1976 Code, as last amended by Act 52 of 1999, is further amended to read:

“Section 61‑4‑580. (A) ~~No~~A holder of a permit authorizing the sale of beer or wine or a servant, agent, or employee of the permittee may not knowingly commit any of the following acts upon the licensed premises covered by the holder’s permit:

(1) sell beer or wine to a person under twenty‑one years of age;

(2) sell beer or wine to an intoxicated person;

(3) place individual bottles, cans, or other single‑serving sized receptacles containing beer or wine in a nonpermanent portable container or cooler within ten feet of a door used for ingress or egress from a licensed establishment;

(4) permit gambling or games of chance except game promotions including contests, games of chance, or sweepstakes in which the elements of chance and prize are present and which comply with the following:

(a) the game promotion is conducted or offered in connection with the sale, promotion, or advertisement of a consumer product or service, or to enhance the brand or image of a supplier of consumer products or services;

(b) no purchase payment, entry fee, or proof of purchase is required as a condition of entering the game promotion or receiving a prize; and

(c) all materials advertising the game promotion clearly disclose that no purchase or payment is necessary to enter and provide details on the free method of participation~~.~~;

~~(4)~~(5) permit lewd, immoral, or improper entertainment, conduct, or practices~~. This includes~~including, but is not limited to, entertainment, conduct, or practices where a person is in a state of undress so as to expose the human male or female genitals, pubic area, or buttocks cavity with less than a full opaque covering;

~~(5)~~(6) permit ~~any~~an act, the commission of which tends to create a public nuisance or which constitutes a crime under the laws of this State; or

~~(6)~~(7) sell, offer for sale, or possess any beverage or alcoholic liquors the sale or possession of which is prohibited on the licensed premises under the ~~law~~laws of this State; or

~~(7)~~(8) conduct, operate, organize, promote, advertise, run, or participate in a ‘drinking contest’ or ‘drinking game’. For purposes of this item, ‘drinking contest’ or ‘drinking game’ includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of beer or wine by participants at extraordinary speed or in increased quantities or in more potent form. ‘Drinking contest’ or ‘drinking game’ does not include a contest, game, event, or endeavor in which beer or wine is not used or consumed by participants as part of the contest, game, event, or endeavor, but instead is used solely as a reward or prize. Selling beer or wine in the regular course of business is not considered a violation of this section.

(B) A violation of ~~any~~a provision of this section is a ground for the revocation or suspension of the holder’s permit.”

SECTION 2. This act takes effect upon approval by the Governor.

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