**South Carolina General Assembly**

118th Session, 2009-2010

**S. 70**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Ford

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Introduced in the Senate on January 13, 2009

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

Summary: Alcoholic Beverage Control Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Judiciary**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑104

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑104

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\70_20081210.docx)

**A** **BILL**

TO AMEND SECTION 61‑2‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATION AND ENFORCEMENT OF THE ALCOHOLIC BEVERAGE CONTROL ACT AND THE ADMINISTRATION AND ENFORCEMENT OF LAWS AND REGULATIONS RELATING TO BEER, ALE, PORTER, AND WINE, SO AS TO PROVIDE THAT THE ADMINISTRATION AND ENFORCEMENT OF THESE LAWS IS RESERVED TO THE STATE AND TO PROVIDE THAT LOCAL ORDINANCES ATTEMPTING TO REGULATE THESE MATTERS ARE UNENFORCEABLE; AND TO AMEND SECTION 61‑4‑120, AS AMENDED, RELATING TO THE PROHIBITION ON SUNDAY BEER AND WINE SALES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT BEER AND WINE MAY BE SOLD OR OFFERED FOR SALE AT ALL HOURS EXCEPT THOSE HOURS WHEN SUCH SALES ARE PROHIBITED BY STATE LAW AND TO PROVIDE THAT CONFLICTING MUNICIPAL AND COUNTY ORDINANCES ARE UNENFORCEABLE.

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

SECTION 1. Section 61‑2‑20 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

“Section 61‑2‑20. The functions, duties, and powers set forth in this title are vested in the department and the division. The department must administer the provisions of this title, and the division must enforce the provisions of this title. It is the intent of the General Assembly that all regulation of the sale and manufacture of alcohol or alcoholic beverages and beer, ale, porter, and wine as defined throughout this title are wholly reserved to the department. A municipal or county ordinance in conflict with a provision of this title or which attempts to regulate any aspect of a business licensed or permitted by the department under this chapter is unenforceable.”

SECTION 2. Section 61‑4‑120 of the 1976 Code, as last amended by Act 243 of 2008, is further amended by adding a new subsection at the end to read:

“(C) It is lawful to sell or offer for sale wine or beer in this State at all hours except those hours prohibited pursuant to subsection (B) of this section. Municipal or county ordinances in conflict with this section are unenforceable.”

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

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