INTRODUCED

April 21, 2010

**S. 1380**

Introduced by Judiciary Committee

S. Printed 4/21/10--S.

Read the first time April 21, 2010.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE ALCOHOLIC BEVERAGES, BEER AND WINE, RELATING TO PREMISES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4077, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

SECTION 1. The regulations of the Alcoholic Beverages, Beer and Wine, relating to Premises, designated as Regulation Document Number 4077, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The South Carolina Department of Revenue is promulgating Regulation 7‑202 to revise the definition of “premises” for purposes of licenses for beer, wine, and liquor issued pursuant to Title 61, Chapters 4 and 6. The Department of Revenue is also repealing Regulations 7‑401.1 and 7‑700, which contain the current definitions of “premises.” On repeal, Regulation 7‑401.1 will be designated as “Reserved.”

Regulation 7‑202, which includes three subsections, will provide a unified definition of premises, with general guidelines appropriate for all license holders and specific guidelines appropriate for the premises of nonprofit organizations licensed to sell alcoholic liquor by the drink. These general and specific guidelines are consistent with other regulations or longstanding Department of Revenue policy, or both. In addition, a subsection addressing certain facilities that may constitute the premises for a license to sell liquor by the drink, including golf courses, fishing piers, and resort complexes, will incorporate and make public longstanding Department of Revenue policy as modified in accordance with recent amendments to S.C. Code Ann. Sections 61‑6‑20(2) and 61‑6‑1610.

With the promulgation of Regulation 7‑202, Regulations 7‑401.1 and 7‑700, which contain the current definitions of premises, will become obsolete. Therefore, the South Carolina Department of Revenue is proposing to repeal Regulations 7‑401.1 and 7‑700. On repeal, Regulation 7‑401.1 will be designated as “Reserved.”

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