POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE

April 15, 2009

**S. 693**

Introduced by Senator Hutto

S. Printed 4/15/09--S.

Read the first time April 14, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 693) to amend the Code of Laws of South Carolina, 1976, by adding Section 61‑4‑960 so as to allow holders of retail permits authorizing the sale of beer, etc., respectfully

**REPORT:**

Has polled the Bill out majority favorable.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑960 SO AS TO ALLOW HOLDERS OF RETAIL PERMITS AUTHORIZING THE SALE OF BEER FOR OFF‑PREMISES CONSUMPTION TO HOLD A LIMITED NUMBER OF BEER TASTINGS AT THE RETAIL LOCATION EACH YEAR UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑960. (A) The holder of a retail permit authorizing the sale of beer for off‑premises consumption whose primary product is beer or wine may conduct, in accordance with department rulings or regulations, not more than twenty‑four beer tastings at the retail location in a calendar quarter, provided that:

(1) at least ten days before the sampling, a letter detailing the specific date and hours of the tasting must be mailed first class to the State Law Enforcement Division;

(2) the tastings must be conducted by the retailer or an agent or independent contractor of the retailer and may not be conducted by a wholesaler or manufacturer or an employee, agent, or independent contractor of a wholesaler or manufacturer. Nothing in this item prohibits the wholesaler or manufacturer or employee, agent, or independent contractor of a wholesaler or manufacturer from attending a tasting to provide information and offer educational material on the products to be sampled;

(3) the products must be supplied by the retailer and may not be donated or otherwise supplied at no or reduced cost by the manufacturer or wholesaler;

(4) a sample may not be offered from more than six products at any one tasting;

(5) no more than one container of each of the products to be sampled may be open at any time;

(6) samples may be no more than three ounces for each product sampled;

(7) a person may not be served more than one sample of each product; and

(8) a sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty‑one years. A person tasting a sample may not be allowed to loiter on the store premises.

(B) A person who violates the provisions of this section must be assessed a fine of one hundred dollars for each violation. The revenue from these fines must be directed to the Department of Revenue for supplementing funds required for the department’s activities concerning licensure and regulation of alcohol.”

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

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