~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 11, 2012

**H. 3385**

Introduced by Reps. D.C. Moss, V.S. Moss, Harrison, Delleney, Gambrell, Harrell, Hiott, Hixon, Lucas and Norman

S. Printed 4/11/12--S.

Read the first time January 10, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3385) to amend Section 61‑6‑4160, Code of Laws of South Carolina, 1976, relating to the unlawful sale of alcoholic liquors on Sundays and election days, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 28-30 in their entirety and inserting the following:

/ and order ~~or public morals and decorum~~. It is unlawful for retail liquor stores to sell liquors on Christmas Day. Full authority to proclaim these periods is conferred upon the /

Amend the bill further, as and if amended, by striking SECTION 2, page 1, lines 41-42 and page 2, lines 2-9 in their entirety.

Renumber sections to conform.

Amend title to conform.

PAUL G. CAMPBELL for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Corrections

The department indicates that this bill will have a minimal fiscal impact on the General Fund of the State, which the agency can absorb at their current level of funding

Judicial Department

Department of Probation, Parole and Pardon Services

The departments indicate that this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

Department of Revenue

The agency has been forwarded a copy of the bill, but to date, has not submitted impact of the proposed bill.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 61‑6‑4160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL SALE OF ALCOHOLIC LIQUORS ON SUNDAYS AND ELECTION DAYS, SO AS TO INCLUDE CHRISTMAS DAY AND THANKSGIVING DAY IN THE PURVIEW OF THE STATUTE.

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

SECTION 1. Section 61‑6‑4160 of the 1976 Code is amended to read:

“Section 61‑6‑4160. It is unlawful to sell alcoholic liquors on Sunday except as authorized by law, ~~on statewide election days,~~ or during periods proclaimed by the Governor in the interest of law and order ~~or public morals and decorum~~. It is unlawful for retail liquor stores to sell liquors on Christmas Day and Thanksgiving Day. Full authority to proclaim these periods is conferred upon the Governor in addition to all his other powers. A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

(b) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

(c) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.”

SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑630. Notwithstanding any other provision of law, an establishment possessing a beer and wine permit that is located in a county or municipality that has conducted a favorable referendum allowing the sale and consumption of alcoholic liquors by the drink on Sunday under the provisions of Section 61‑6‑2010, during those same hours authorized by permits issued under Section 61‑6‑2010, may sell, possess, and permit the consumption of beer and wine on the premises.”

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

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