COMMITTEE REPORT

May 30, 2012

**H. 5098**

Introduced by Reps. Hixon, Clyburn, Harrison, Taylor and Young

S. Printed 5/30/12--S.

Read the first time May 1, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 5098) to amend Section 61-6-2010, as amended, Code of Laws of South Carolina, 1976, relating to temporary permits for the possession, sale, and consumption of alcoholic liquors, 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, by striking all after the enacting language and inserting the following:

/ SECTION 1. Section 61‑6‑2010 of the 1976 Code is amended by adding a new subsection at the end to read:

“(H) (1) For purposes of referendums held pursuant to this section, ‘general election’ means a municipal general election held at a time other than the first Tuesday following the first Monday in November of even‑numbered years or a county general election held on the first Tuesday following the first Monday in November of even‑numbered years.

(2) A municipality that does not have a municipal general election scheduled within the same calendar year as a county general election may call, by ordinance, for a referendum to be held on the same date as the county general election, provided that a copy of the ordinance has been filed with the county and municipal election commissions no later than the date required by Section 7‑13‑355. The expenses for a referendum ordered by a municipality shall be paid by the municipality. When a municipal referendum is held at the time of a county general election, the referendum may be conducted by a municipal or county election commission as provided for by an agreement between the municipality and the county.”

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

Renumber sections to conform.

Amend title to conform.

PAUL G. CAMPBELL, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 61‑6‑2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK IN A COUNTY OR MUNICIPALITY UPON A FAVORABLE REFERENDUM VOTE, SO AS TO FURTHER PROVIDE FOR THOSE ELECTIONS WHICH CONSTITUTE GENERAL ELECTIONS FOR PURPOSES OF THE REFERENDUMS REQUIRED UNDER THIS SECTION.

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

SECTION 1. Section 61‑6‑2010 of the 1976 Code, as last amended by Act 67 of 2011, is further amended by adding a new subsection at the end to read:

“(H) Referendums under this section required to be conducted at a general election include municipal general elections held other than on the first Tuesday following the first Monday in November of even‑numbered years. In addition, a general election for federal, state, and county officers held as provided in Section 7‑13‑10 for purposes of this section also is considered a county general election. A municipality that does not have a municipal general election scheduled within the same calendar year as a county general election may call, by ordinance, for a referendum to be held on the same date as the county general election, provided that a copy of the ordinance has been filed with the county and municipal election commissions at least sixty days before the date of that general election.”

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

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