**South Carolina General Assembly**

121st Session, 2015-2016

**A73, R102, S179**

**STATUS INFORMATION**

General Bill

Sponsors: Senators L. Martin and Hembree

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Introduced in the Senate on January 13, 2015

Introduced in the House on March 17, 2015

Passed by the General Assembly on June 4, 2015

Governor's Action: June 5, 2015, Signed

Summary: Definition of alcoholic liquors

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/10/2014 Senate Prefiled

 12/10/2014 Senate Referred to Committee on **Judiciary**

 1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 117](file:///h%3A%5CSJ%20Archive%5C2015%5C01-13-15.docx))

 1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 117](file:///h%3A%5CSJ%20Archive%5C2015%5C01-13-15.docx))

 1/20/2015 Senate Referred to Subcommittee: Rankin (ch), Allen, Bennett

 2/11/2015 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2015%5C02-11-15.docx))

 2/12/2015 Scrivener's error corrected

 3/10/2015 Senate Debate interrupted ([Senate Journal‑page 35](file:///h%3A%5CSJ%20Archive%5C2015%5C03-10-15.docx))

 3/11/2015 Senate Read second time ([Senate Journal‑page 23](file:///h%3A%5CSJ%20Archive%5C2015%5C03-11-15.docx))

 3/11/2015 Senate Roll call Ayes‑37 Nays‑4 ([Senate Journal‑page 23](file:///h%3A%5CSJ%20Archive%5C2015%5C03-11-15.docx))

 3/12/2015 Senate Read third time and sent to House ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2015%5C03-12-15.docx))

 3/17/2015 House Introduced and read first time ([House Journal‑page 33](file:///h%3A%5CHJ%20Archive%5C2015%5C03-17-15.docx))

 3/17/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 33](file:///h%3A%5CHJ%20Archive%5C2015%5C03-17-15.docx))

 5/6/2015 House Committee report: Favorable **Judiciary** ([House Journal‑page 40](file:///h%3A%5CHJ%20Archive%5C2015%5C05-06-15.docx))

 5/12/2015 House Requests for debate‑Rep(s). Hill, McCoy, Beddingfield, Wells, Hiott, Toole, GR Smith, Kennedy, Loftis, Norman, Crosby, Johnson, Yow, Finlay, Gagnon, Thayer, Willis, Limehouse, White, Cobb‑Hunter ([House Journal‑page 50](file:///h%3A%5CHJ%20Archive%5C2015%5C05-12-15.docx))

 6/3/2015 House Read second time ([House Journal‑page 164](file:///h%3A%5CHJ%20Archive%5C2015%5C06-03-15.docx))

 6/3/2015 House Roll call Yeas‑99 Nays‑2 ([House Journal‑page 165](file:///h%3A%5CHJ%20Archive%5C2015%5C06-03-15.docx))

 6/4/2015 House Read third time and enrolled ([House Journal‑page 28](file:///h%3A%5CHJ%20Archive%5C2015%5C06-04-15.docx))

 6/4/2015 Ratified R 102

 6/5/2015 Signed By Governor

 6/17/2015 Effective date 06/05/15

 6/18/2015 Act No. 73

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**VERSIONS OF THIS BILL**

[12/10/2014](file:///p%3A%5Cpprever%5C2015-16%5C179_20141210.docx)

[2/11/2015](file:///p%3A%5Cpprever%5C2015-16%5C179_20150211.docx)

[2/12/2015](file:///p%3A%5Cpprever%5C2015-16%5C179_20150212.docx)

[5/6/2015](file:///p%3A%5Cpprever%5C2015-16%5C179_20150506.docx)

(A73, R102, S179)

**AN ACT TO AMEND SECTION 61‑6‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS; AND TO AMEND SECTION 61‑6‑4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.**

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

**Alcoholic liquors defined, powdered or crystalline alcohol added**

SECTION 1. Section 61‑6‑20(1) of the 1976 Code is amended to read:

 “Section 61‑6‑20. As used in the ABC Act, unless the context clearly requires otherwise:

 (1)(a) ‘Alcoholic liquors’ or ‘alcoholic beverages’ means any spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them, including, but not limited to, a powdered or crystalline alcohol, by whatever name called or known, which contains alcohol and is used as a beverage for human consumption, but does not include:

 (i) wine when manufactured or made for home consumption and which is not sold by the maker of the wine or by another person; or

 (ii) a beverage declared by statute to be nonalcoholic or nonintoxicating.

 (b) ‘Alcoholic liquor by the drink’ or ‘alcoholic beverage by the drink’ means a drink poured from a container of alcoholic liquor, without regard to the size of the container for consumption on the premises of a business licensed pursuant to Article 5 of this chapter.

 (c) ‘Powdered or crystalline alcohol’ means a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.”

**Prohibition on powdered alcohol, crystalline alcohol added**

SECTION 2. Section 61‑6‑4157 of the 1976 Code, as added by Act 253 of 2014, is amended to read:

 “Section 61‑6‑4157. (A) As used in this section, ‘powdered or crystalline alcohol’ is alcohol prepared or sold in a powdered or crystalline form that contains any amount of alcohol when hydrolyzed for either direct use or reconstitution for human consumption.

 (B)(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered or crystalline alcohol.

 (2) It is unlawful for a holder of a license pursuant to the provisions of this chapter for on‑premises or off‑premises consumption of alcoholic liquors to use powdered or crystalline alcohol as an alcoholic beverage.

 (3) Any person or license holder that violates this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

 (a) for a first offense, by a fine of not more than three hundred dollars or imprisonment for not more than thirty days, or both;

 (b) for a second offense, by a fine of not more than seven hundred fifty dollars or imprisonment for not more than six months, or both;

 (c) for a third or subsequent offense, by a fine of not more than three thousand dollars or imprisonment for not more than two years, or both.

 (C) This section does not apply to the use of powdered or crystalline alcohol for commercial uses specifically approved by state law, or for bona fide research purposes by a:

 (1) health care provider that operates primarily for the purpose of conducting scientific research;

 (2) state institution;

 (3) private college or university; or

 (4) pharmaceutical or biotechnology company.”

**Time effective**

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

Ratified the 4th day of June, 2015.

Approved the 5th day of June, 2015.

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