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Indicates New Matter

COMMITTEE REPORT

April 20, 2016

**S. 1139**

Introduced by Senator Allen

S. Printed 4/20/16--S.

Read the first time March 2, 2016.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1139) to amend the Code of Laws of South Carolina, 1976, by adding Section 23‑3‑85 so as to provide that the South Carolina Law Enforcement Division shall furnish, 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 the bill in its entirety and inserting the following:

/ A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 61‑2‑20 SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL FURNISH TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE IN A TIMELY MANNER DOCUMENTATION OF CRIMINAL CONVICTIONS, GUILTY PLEAS, AND NOLO CONTENDERE PLEAS OBTAINED BY THE DIVISION THAT RESULT FROM TITLE 61 VIOLATIONS OCCURRING ON THE PREMISES OF BUSINESS ESTABLISHMENTS LICENSED OR PERMITTED PURSUANT TO THE PROVISIONS OF TITLE 61.

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

SECTION 1. Section 61‑2‑20 of the 1976 Code is amended as follows:

“Section 61‑2‑20. The functions, duties, and powers set forth in this title are vested in the department and the division. The department must administer the provisions of this title, and the division must enforce the provisions of this title. The division shall furnish to the department documentation of criminal convictions, guilty pleas, and nolo contendere pleas obtained by the division that result from Title 61 violations or criminal activities that occur at businesses licensed or permitted pursuant to the provisions of Title 61. The documentation shall be delivered to the department within thirty days of the conviction or plea.”

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

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

Senate Bill 1139 adds Section 23-3-85 to amend the law enforcement and public safety code to require that the South Carolina Law Enforcement Division provide documentation to the Department of Revenue on all criminal convictions and legal pleas resulting from events occurring on the premises of businesses that possess alcohol beverage licenses within ten days of the conviction or plea.

**South Carolina Law Enforcement Division and Department of Revenue.** These agencies report that this bill will have no expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑85 SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL FURNISH TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE DOCUMENTATION OF ALL CRIMINAL CONVICTIONS, GUILTY PLEAS, AND NOLO CONTENDERE PLEAS WHICH RESULT FROM EVENTS OCCURRING ON THE PREMISES OF BUSINESS ESTABLISHMENTS HOLDING LICENSES TO SELL BEER, WINE, OR LIQUOR.

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

SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23‑3‑85. The South Carolina Law Enforcement Division shall furnish to the South Carolina Department of Revenue documentation of all criminal convictions, guilty pleas, and nolo contendere pleas obtained by the division which result from events occurring on the premises of business establishments holding licenses to sell beer, wine, or liquor issued by the department within ten days of the conviction or plea.”

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

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