**A** **BILL**

TO AMEND SECTION 61‑4‑1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A BREWERY LICENSED TO SELL BEER AND WINE FOR ON‑PREMISES CONSUMPTION, SO AS TO PROVIDE THESE ESTABLISHMENTS ALSO MAY APPLY FOR A RETAIL ON‑PREMISES CONSUMPTION PERMIT FOR THE SALE OF ALCOHOLIC LIQUORS.

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

SECTION 1. Section 61‑4‑1515(B) and (C) of the 1976 Code, as last amended by Act 223 of 2014, is further amended to read:

“(B) In addition to the sampling and sales provisions set forth in subsection (A), a brewery licensed in this State is authorized to sell beer produced on its licensed premises to consumers on site for on‑premises consumption within an area of its licensed premises approved by the rules and regulations of the Department of Health and Environmental Control governing eating and drinking establishments and other food service establishments. These establishments also may apply for a retail on‑premises consumption permit for the sale of beer, ~~and~~ wine, and alcoholic liquors of a producer that has been purchased from a wholesaler through the three‑tier distribution chain set forth in ~~Section~~ Sections 61‑4‑735, ~~and Section~~ 61‑4‑940, and 61‑6‑1636. If the establishment applies for a license to sell alcoholic liquors for on‑premises consumption, it shall meet the qualifications for a license set forth in Section 61‑6‑1820 before the issuance of the license.

(C) The sale of beer that is brewed on the licensed premises for on‑premises consumption pursuant to subsection (B) must comply with the following provisions:

(1) all provisions of subsection (A) ~~shall~~ must apply to sales under subsection (B) and this subsection, except subsection (A)(1), (3), and (4);

(2) the brewery ~~must~~ shall comply with all state and local laws concerning hours of operation applicable to eating and drinking establishments and other food service establishments holding permits to sell beer, ~~and~~ wine, and alcoholic liquors for on‑premises consumption;

(3) the brewery ~~must~~ shall comply with the discount pricing provisions of Section 61‑4‑160, applicable to persons holding permits to sell beer and wine for on‑premises consumption;

(4) the brewery ~~must~~ shall sell the beer at a price approximating retail prices generally charged for identical beverages by on‑premises retailers in the county where the licensed premises are located; and

(5) a wholesaler ~~must~~ may not provide and a brewery ~~must~~ may not accept services, equipment, fixtures, or free beer prohibited by Section 61‑4‑940(B), except those items authorized by Section 61‑4‑940(C). Changes to the brewery laws pursuant to subsection (B) and this subsection do not alter or amend the structure of the three‑tier laws of this State, and the wholesalers and the breweries ~~must~~ may not discriminate in pricing at the producer or wholesaler levels.”

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

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