~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 18, 2018

**H. 3549**

Introduced by Rep. Cobb‑Hunter

S. Printed 4/18/18--S.

Read the first time April 25, 2017.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3549) to amend Section 61‑6‑120, as amended, Code of Laws of South Carolina, 1976, relating to a permit issued for on‑premises consumption of alcoholic, 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 words and inserting therein the following:

/ SECTION 1. Section 61-6-120(A)(2) of the 9176 Code, as last amended by Act 253 of 2014, is further amended to read:

“(2) ‘school’, an establishment, other than a private dwelling, where the usual processes of education are usually conducted; and”

SECTION 2. Section 61‑6‑120(C) of the 1976 Code, as last amended by Act 253 of 2014, is further amended to read:

“(C)(1) Notwithstanding the provisions of subsection (A), the department may issue a license ~~so long as the provisions of subsection (A) are met in regards to schools, and~~ so long as any ~~playground or~~ church, school, or playground located within the parameters affirmatively states that it does not object to the issuance of a license. This subsection only applies to a permit for on‑premises consumption of alcoholic liquor.

(2)(a) Any applicant seeking to utilize the provisions of this subsection must provide a statement declaring the church, playground, or school does not object to the issuance of the specific license sought, as follows: ~~from the decision‑making body of the owner of the playground or~~

(i) if a church, from the decision‑making body of the local church,

(ii) if a playground, from the decision-making body of the owner of the playground,

(iii) if a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school ~~stating that it does not object to the issuance of the specific license sought~~.

(b) If more than one ~~playground or~~ church, school, or playground is located within the parameters set forth in subsection (A), the applicant must provide the statement from all ~~playgrounds and~~ churches, schools, or playgrounds.

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.”

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

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**A** **BILL**

TO AMEND SECTION 61‑6‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERMIT ISSUED FOR ON‑PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO PROVIDE THAT THE DECISION‑MAKING BODY OF THE LOCAL SCHOOL MUST AFFIRMATIVELY STATE THAT IT DOES NOT OBJECT TO THE ISSUANCE OF A LICENSE.

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

SECTION 1. Section 61‑6‑120(C) of the 1976 Code, as last amended by Act 253 of 2014, is further amended to read:

“(C)(1) Notwithstanding the provisions of subsection (A), the department may issue a license ~~so long as the provisions of subsection (A) are met in regards to schools, and~~ so long as any ~~playground or~~ church, school, or playground located within the parameters affirmatively states that it does not object to the issuance of a license. This subsection only applies to a permit for on‑premises consumption of alcoholic liquor.

(2) Any applicant seeking to utilize the provisions of this subsection must provide a statement ~~from the decision‑making body of the owner of the playground or~~ from the decision‑making body of the local church, from the local school board of the local school, or from the decision‑making body of the owner of the playground stating that it does not object to the issuance of the specific license sought. If more than one ~~playground or~~ church, school, or playground is located within the parameters set forth in subsection (A), the applicant must provide the statement from all ~~playgrounds and~~ churches, schools, or playgrounds.

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.”

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

‑‑‑‑XX‑‑‑‑