**A** **BILL**

TO AMEND ARTICLE 5, CHAPTER 6, TITLE 61, OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO TEMPORARY LICENSES, SO AS TO ADD SECTION 61‑6‑2017 TO AUTHORIZE A TEMPORARY LIQUOR BY THE DRINK LICENSE FOR A FESTIVAL THAT HAS A MAJOR ECONOMIC IMPACT, WHICH INCLUDES THE FESTIVAL PREMISES AND CONTINUES FOR THE DURATION OF THE FESTIVAL, NOT TO EXCEED FIVE DAYS.

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

SECTION 1. Chapter 6, Title 61 of the 1976 Code of Laws is amended by adding:

“Section 61‑6‑2017. (1) The department may issue a temporary liquor by the drink license for on‑premises consumption to a festival that has a major economic beneficial impact that includes the premises of the festival and continues for the duration of the festival, not to exceed five days. A festival qualifies as having a beneficial major economic impact only if it meets or exceeds the following requirements:

(a) the festival must be a yearly event that has occurred on or near the same location for at least two years previously;

(b) the festival, on a daily basis, must serve more food than alcoholic beverages and must be able to serve food to at least forty people at any time while the festival is open;

(c) the festival must have projected attendance of at least fifty thousand people during the time the festival is held, and past attendance may be considered;

(d) the festival is projected to have a total beneficial economic impact, based on economic information from previous years, to the immediate community in which the festival is held in an amount exceeding one million dollars;

(e) the festival has engaged and continues to engage in tourism promotion;

(f) the festival is held in a defined festival area immediately adjacent to the Atlantic Ocean, is not less than twelve acres that is separate and apart from other areas, and is enclosed by a fence of at least eight feet in height for the duration of the festival with a controlled, restricted access;

(g) the festival shall establish a procedure, approved by the State Law Enforcement Division, that requires sufficient identification to determine that individuals purchasing alcoholic beverages meet the age requirements of Title 61, and further requires those individuals purchasing alcoholic beverages maintain in their possession a personal identifier that is easily identified by a server of alcoholic beverages; and

(h) the festival shall employ a security service approved by the State Law Enforcement Division.

(2) A major economic benefit festival license may be issued to a qualifying festival only once a year. If, after a license has been issued, the festival is not held, the festival organizer or holder of the major economic impact festival license must notify the department immediately and return the license.

(3) The department shall charge a nonrefundable filing fee of thirty‑five dollars for processing an application for a major economic benefit festival. The temporary major economic benefit festival license application must include a statement by the applicant as to the nature, location, and dates of the major economic benefit festival at which the liquor by the drink is to be sold for on‑premises consumption. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(4) The department shall require the applicant to obtain a criminal background check conducted by the State Law Enforcement Division within ninety days prior to an application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it is obtained more than ninety days before the date of the festival.

(5) The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.”

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

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