**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3631**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Fry, W. Newton, Clary, Forrest, Kirby, Collins, Elliott, Mace and Murphy

Document Path: l:\council\bills\nbd\11182cz19.docx

Companion/Similar bill(s): 290

Introduced in the House on January 16, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Alcohol, drive through service

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/16/2019 House Introduced and read first time ([House Journal‑page 29](file:///h:\hj\20190116.docx))

1/16/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 29](file:///h:\hj\20190116.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3631&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/16/2019](file:///p:\pprever\2019-20\3631_20190116.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑45 SO AS TO PROVIDE THAT A RETAILER MAY DELIVER BEER AND WINE TO A DESIGNATED AREA FOR CURBSIDE PICKUP IN CERTAIN CIRCUMSTANCES, TO ESTABLISH REQUIREMENTS FOR THESE TRANSACTIONS, AND TO PROVIDE PENALTIES; AND TO AMEND SECTION 61‑2‑170, RELATING TO THE PROHIBITION ON SELLING ALCOHOLIC LIQUORS, BEER, OR WINE THROUGH A DRIVE‑THROUGH OR CURB‑SERVICE BASIS, SO AS TO REMOVE BEER OR WINE FROM THE PROHIBITION.

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

SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑45. (A) A retailer may deliver beer and wine in closed containers for off‑premises consumption to a customer who has purchased or ordered the beer or wine online in advance of the delivery for curbside pickup to the customer’s vehicle if the vehicle is located within a clearly designated pickup area located adjacent to the retailer’s place of business.

(B) Beer and wine sold online or paid for at pickup as part of curbside pickup must be pulled from the inventory located at the licensed location of the retailer that is providing the curbside pickup and may not be pulled from the inventory of another retailer or licensed location.

(C) A customer who purchases beer and wine pursuant to this section must affirm at pickup that he is twenty‑one years of age or older.

(D) Sales of beer and wine for curbside pickup may be prepaid online or paid for at the time of pickup. A retailer does not violate the prohibition of sales to underage persons provided in Section 61‑4‑50 by virtue of accepting prepayment of an online purchase permitted under the provisions of this section.

(E) Retailers in violation of this section are subject to penalties pursuant to Sections 61‑4‑250 and 61‑4‑270.”

SECTION 2. Section 61‑2‑170 of the 1976 Code is amended to read:

“Section 61‑2‑170. The department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for on or off premises consumption which authorize alcoholic liquors~~, beer, or wine~~ to be sold on a drive through or curb service basis.”

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

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