**South Carolina General Assembly**

123rd Session, 2019-2020

**A161, R188, H4963**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Tallon, Moore, Bernstein, Caskey, Clary, Davis, Elliott, King, Mace, Wheeler, Simrill, Rutherford, Bannister, Finlay, Bradley, Collins, Fry, Hyde, Murphy, W. Newton, Rose, Wooten, B. Newton, Sottile, Ridgeway, Ott, Hardee, Bailey, Herbkersman, Bamberg, Daning, Kirby, Atkinson, Felder, Hewitt, Martin, Oremus, Sandifer and Erickson

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Introduced in the House on January 16, 2020

Introduced in the Senate on March 10, 2020

Last Amended on March 4, 2020

Passed by the General Assembly on September 22, 2020

Governor's Action: September 28, 2020, Signed

Summary: Alcohol

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/16/2020 House Introduced and read first time ([House Journal‑page 399](file:///h%3A%5Chj%5C20200116.docx))

 1/16/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 399](file:///h%3A%5Chj%5C20200116.docx))

 2/27/2020 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 5](file:///h%3A%5Chj%5C20200227.docx))

 3/3/2020 House Member(s) request name added as sponsor: Erickson

 3/4/2020 House Amended ([House Journal‑page 22](file:///h%3A%5Chj%5C20200304.docx))

 3/4/2020 House Read second time ([House Journal‑page 22](file:///h%3A%5Chj%5C20200304.docx))

 3/4/2020 House Roll call Yeas‑94 Nays‑12 ([House Journal‑page 24](file:///h%3A%5Chj%5C20200304.docx))

 3/5/2020 House Read third time and sent to Senate ([House Journal‑page 13](file:///h%3A%5Chj%5C20200305.docx))

 3/10/2020 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20200310.docx))

 3/10/2020 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20200310.docx))

 9/15/2020 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20200915.docx))

 9/16/2020 Senate Read second time ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20200916.docx))

 9/16/2020 Senate Roll call Ayes‑34 Nays‑4 ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20200916.docx))

 9/22/2020 Senate Read third time and enrolled ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20200922.docx))

 9/25/2020 Ratified R 188

 9/28/2020 Signed By Governor

 10/2/2020 Effective date 09/28/20

 10/2/2020 Act No.  161

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4963&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/16/2020](file:///p%3A%5Cpprever%5C2019-20%5C4963_20200116.docx)

[2/27/2020](file:///p%3A%5Cpprever%5C2019-20%5C4963_20200227.docx)

[3/4/2020](file:///p%3A%5Cpprever%5C2019-20%5C4963_20200304.docx)

[9/15/2020](file:///p%3A%5Cpprever%5C2019-20%5C4963_20200915.docx)

(A161, R188, H4963)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑360 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY; AND BY ADDING SECTION 61‑6‑1650 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES IN EXCESS OF SIXTEEN PERCENT ALCOHOL, CORDIALS, OR DISTILLED SPIRITS TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY.**

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

**Samples of wine**

SECTION 1. Article 3, Chapter 4, Title 61 of the 1976 Code is amended by adding:

 “Section 61‑4‑360. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty‑five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty‑one or to a retailer’s customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

**Samples of wine in excess of sixteen percent alcohol, cordials, or distilled spirits**

SECTION 2. Subarticle 1, Article 5, Chapter 6, Title 61 of the 1976 Code is amended by adding:

 “Section 61‑6‑1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty‑five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty‑one or to a retailer’s customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

**Time effective**

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

Ratified the 25th day of September, 2020.

Approved the 28th day of September, 2020.

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