**A** **BILL**

TO AMEND SECTION 61-2-170 OF THE 1976 CODE, RELATING TO DRIVE‑THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, TO PROVIDE THAT 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 TO BE SOLD ON A DRIVE THROUGH OR CURB SERVICE BASIS; AND TO AMEND ARTICLE 1, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO BEER, ALE, PORTER, AND WINE, BY ADDING SECTION 61-4-45, TO PROVIDE THAT A RETAILER MAY DELIVER BEER AND WINE FOR OFF-PREMISES CONSUMPTION TO A CUSTOMER WHO HAS PURCHASED THE WINE OR BEER 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, TO ESTABLISH REQUIREMENTS RELATED TO THIS PROVISION, AND TO PROVIDE PENALTIES.

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

SECTION 1. 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 2. 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 3. This act takes effect upon approval by the Governor.

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