**A** **BILL**

TO AMEND SECTION 61‑4‑50 AND SECTION 61‑6‑4080 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST THE TRANSFER OF BEERS, ALES, PORTERS, WINES, OTHER MALT OR FERMENTED BEVERAGES, AND ALCOHOLIC LIQUORS TO PERSONS UNDER THE AGE OF TWENTY‑ONE, TO PROVIDE PENALTIES.

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

SECTION 1. Section 61‑4‑50 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

“( ) In addition to any other penalties imposed by law, if a holder of a permit authorizing the sale of beer and wine on premises pursuant to the provisions of Article 5 of this chapter, or a servant, agent, or employee of the permittee, is convicted of a violation of this section or of a violation of Section 61‑6‑4080, then the permittee shall:

(1) for a first offense, be fined one thousand dollars and required, as a condition of holding a permit to sell beer and wine, to verify persons’ ages by inspecting identification documents using a device approved by the South Carolina Law Enforcement Division for such verification;

(2) for a second offense within five years of a first offense, be fined ten thousand dollars and have his permit to sell beer and wine suspended for six months; and

(3) for a third offense within five years of a second offense, be fined ten thousand dollars and have his permit to sell beer and wine revoked permanently.

( ) A person holding a license to sell liquor by the drink who is required under this section to use a device approved by the South Carolina Law Enforcement Division for verification of identification documents is also required to use such a device as a condition of holding a license to sell liquor by the drink.”

SECTION 2. Section 61‑6‑4080 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

“( ) In addition to any other penalties imposed by law, if a person licensed to sell alcoholic liquor by the drink pursuant to the provisions of Article 5 of this chapter, or a servant, agent, or employee of the licensee, is convicted of a violation of this section or of a violation of Section 61‑4‑50, then the licensee shall:

(1) for a first offense, be fined one thousand dollars and required, as a condition of licensure to sell alcoholic liquor by the drink, to verify persons’ ages by inspecting identification documents using a device approved by the South Carolina Law Enforcement Division for such verification;

(2) for a second offense within five years of a first offense, be fined ten thousand dollars and have his license to sell alcoholic liquor by the drink suspended for six months; and

(3) for a third offense within five years of a second offense, be fined ten thousand dollars and have his license to sell alcoholic liquor by the drink revoked permanently.

( ) A person holding a permit to sell beer and wine on premises who is required under this section to use a device approved by the South Carolina Law Enforcement Division for verification of identification documents is also required to use such a device as a condition of holding a permit to sell beer and wine on premises.”

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

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