**A** **BILL**

TO AMEND SECTION 25‑1‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO AS TO PROVIDE THAT THE GOVERNOR, IN AN EMERGENCY PROCLAMATION OR DECLARATION, MAY NOT PROHIBIT THE SALE OF ALCOHOLIC BEVERAGES BEFORE 12:00 A.M. BY HOLDERS OF CERTAIN TYPES OF LICENSES, AND TO PROVIDE THAT AN ALLEGED VIOLATION OF THE TERMS OF A GUBERNATORIAL EMERGENCY PROCLAMATION OR DECLARATION MAY NOT BE USED AS THE BASIS EITHER TO SUSPEND OR REVOKE CERTAIN TYPES OF LICENSES.

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

SECTION 1. Section 25‑1‑440 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( )(1) Notwithstanding another provision of law, the Governor, in an emergency proclamation or declaration issued pursuant to this section, may not prohibit the sale of alcoholic beverages before 12:00 a.m. by any holder of any of the following types of licenses:

(a) on‑premises beer and wine permit;

(b) winery permit;

(c) brewpub beer/wine permit;

(d) brewery permit;

(e) business liquor by the drink license;

(f) nonprofit private club liquor by the drink license;

(g) special event permit; or

(h) special nonprofit event permit.

(2) Notwithstanding another provision of law, an alleged violation of the terms of a gubernatorial emergency proclamation or declaration issued pursuant to this section may not be used as the basis either to suspend or revoke any of the types of licenses enumerated in item (1).”

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

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