**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4529**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. S. Jones, Kilmartin, White, Cromer, May, Beach, Pace, Thayer, Nutt, Atkinson, Hartnett, Landing, Leber, McCabe, Bustos, Hayes, Oremus and O'Neal

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Introduced in the House on June 14, 2023

Currently residing in the House

Summary: SC Save Our Venues Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

6/14/2023 House Introduced and read first time ([House Journal‑page 6](h:\hj\20230614.docx))

6/14/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 6](h:\hj\20230614.docx))

1/9/2024 House Member(s) request name added as sponsor: Oremus,
O'Neal

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**VERSIONS OF THIS BILL**

[06/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4529_20230614.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS by ENACTing THE “SOUTH CAROLINA SAVE OUR VENUES ACT”, BY ADDING SECTION 61‑2‑670 SO AS TO PROVIDE FOR CERTAIN CIVIL RIGHTS OF ACTION FOR INJURIES RESULTING FROM ALCOHOLIC CONSUMPTION.

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

SECTION 1. This act may be cited as the “South Carolina Save Our Venues Act”.

SECTION 2. Chapter 2, Title 61 of the S.C. Code is amended by adding:

Section 61‑2‑670. (A)(1) Notwithstanding any other provision of law, a person who sells, furnishes, or serves alcoholic beverages to an individual of lawful drinking age may not become liable for injury, death, or damage caused by or resulting from the intoxication of that individual, including injury or death to other individuals; provided, however, every spouse, child, parent, or other individual who is injured in person, property, or means of support by an intoxicated individual has a right of action for all damages actually sustained as well as exemplary damages against any person who knowingly sells, furnishes, or serves alcoholic beverages to an individual contrary to the provisions of law, who was visibly intoxicated, when the sale, furnishing, or serving is the proximate cause of such injury or damage.

(2) For the purposes of this section, “knowingly” means knew or should have known under the circumstances.

(B) Upon the death of any party, the action or right of action will survive to or against the party’s personal representative.

(C) The party injured, or the party’s legal representative, may commence a joint or separate action against the individual intoxicated or the person who furnished the alcoholic beverages, and the claims must be by civil action in any court having jurisdiction.

(D) Evidence sufficient to establish that an individual was visibly intoxicated as set forth in subsection (A)(1) must be based on the totality of the circumstances present at the time of service of the alcoholic beverages to the individual. The evidence either must be direct evidence or, if circumstantial, may not require or allow the finder of fact to speculate.

(E) Nothing in this section authorizes the consumer of any alcoholic beverage to recover from the provider of the alcoholic beverage for injuries or damages suffered by the by the consumer caused by the consumer’s ingestion of alcohol.

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

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