**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4000**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.M. Smith, Stavrinakis, B.L. Cox, Davis, Wetmore, Bustos, Teeple, Holman, Spann-Wilder, Kirby, Robbins, Landing, Hartnett, Brewer, Gilliard, Gatch, J. Moore, T. Moore, Murphy, W. Newton, Duncan and Bauer

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Introduced in the House on February 13, 2025

Currently residing in the House

Summary: Alcohol licensing

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/13/2025 House Introduced and read first time ([House Journal‑page 40](h:\hj\20250213.docx))

2/13/2025 House Referred to Committee on **Judiciary** ([House Journal‑page 40](h:\hj\20250213.docx))

4/8/2025 House Member(s) request name added as sponsor: Duncan, Bauer

4/30/2025 House Committee report: Favorable with amendment **Judiciary**

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**VERSIONS OF THIS BILL**

[02/13/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4000_20250213.docx)

[04/30/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4000_20250430.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 30, 2025

H. 4000

Introduced by Reps. M. M. Smith, Stavrinakis, B. L. Cox, Davis, Wetmore, Bustos, Teeple, Holman, Spann-Wilder, Kirby, Robbins, Landing, Hartnett, Brewer, Gilliard, Gatch, J. Moore, T. Moore, Murphy, W. Newton, Duncan and Bauer

S. Printed 4/30/25--H.

Read the first time February 13, 2025

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The committee on House Judiciary

To whom was referred a Bill (H. 4000) to amend the South Carolina Code of Laws by amending Section 61‑2‑100, relating to the persons entitled to be licensees or permittees, so as to add performing arts, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass with amendment:

Amend the bill, as and if amended, SECTION 1, Section 61-2-100, by adding a subsection to read:

(k) notwithstanding any other provision of law, a license or permit may be issued to a municipality that manages an amphitheater as defined in Sections 61‑6‑2016(D)(6) and 61‑4‑515(D)(6), which is considered to be the applicant pursuant to Section 61‑2‑160. The municipality must submit an application and a sworn affidavit provided by the department. The department, by regulation, must establish the necessary information contained in the affidavit and make that information publicly accessible. The affidavit must contain sufficient information to establish the individual submitting the application has the authority to act on behalf of the municipality.

Amend the bill further, SECTION 2, by striking Section 61-4-515(A), (B), and (C) and inserting:

(A) In addition to the permits authorized pursuant to the provisions of this article, the department also may issue a biennial permit to the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex located in this State, which authorizes the purchase and sale for on‑premises consumption of beer and wine at any occasion held on the grounds of the complex year round on any day of the week. The nonrefundable filing fee and the fees for the motorsports, tennis complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex biennial permit are the same as for other biennial permits for on‑premises consumption of beer and wine, with the revenue therefrom used for the purposes provided in Section 61‑4‑510. Notwithstanding another provision of this article, the issuance of this permit authorizes the permit holder to purchase beer and wine from licensed wholesalers in the same manner that a person with appropriate licenses issued pursuant to this title purchases beer and wine from licensed wholesalers. The department in its discretion may specify the terms and conditions of the permit, pursuant to the provisions of Chapter 4, Title 61, and other applicable provisions under Title 61.

(B) The department may require such proof of qualifications for the issuance of these permits as it considers necessary, pursuant to the provisions of Chapter 4, Title 61, and these permits may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex is located in a county or municipality which pursuant to Section 61‑6‑2010 successfully has held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty‑four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, amphitheater, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume beer and wine provided at their own expense or at the expense of the sponsor of the private function.

Amend the bill further, SECTION 2, Section 61-4-515(D), by adding an item to read:

(6) “amphitheater” means an open air facility that is owned by a municipality and seats at least four hundred people.

Amend the bill further, SECTION 3, by striking Section 61-6-2016(A), (B), and (C) and inserting:

(A) In addition to the other provisions of this chapter, the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, or performing arts and convention complex, amphitheater, or baseball complex that is located in this State may be issued, upon application, a biennial license that authorizes the purchase and sale for on‑premises consumption of alcoholic liquors by the drink at any occasion held on the grounds of the complex under the same terms and conditions provided in Section 61‑4‑515, and the nonrefundable filing fee and license fee are the same as for other biennial licenses issued by the department for on‑premises consumption of alcoholic liquors by the drink. In the event that the owner or his designee applies for both a permit to purchase and sell for on‑premises consumption beer and wine and a license to purchase and sell for on‑premises consumption alcoholic liquors by the drink, only one fee is required, which is the same as the fee for the fifty‑two week local option permit under Section 61‑6‑2010 with the revenue therefrom used for the same purposes as provided in Section 61‑6‑2010.

(B) The department may require such proof of qualifications for the issuance of these licenses as it considers necessary, pursuant to the provisions of Chapter 6, Title 61, and these licenses may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, or performing arts and convention complex, amphitheater, or baseball complex is located in a county or municipality, which pursuant to Section 61‑6‑2010 has successfully held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty‑four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, amphitheater, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume alcoholic liquors by the drink provided at their own expense or at the expense of the sponsor of the private function.

Amend the bill further, SECTION 3, Section 61-6-2016(D), by adding an item to read:

(6) “amphitheater” means an open-air facility that is owned by a municipality and has permanent seating of at least four hundred people.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 5, Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-523. (A) Notwithstanding any other provision of law, the sale of beer and wine at collegiate sporting venues pursuant to Section 61-4-520 is prohibited unless the holder of the permit:

(1) requires all sales personnel to complete mandatory alcohol server training approved by the department;

(2) utilizes internal, random checks of sales locations during an event of sufficient frequency to reasonably determine that sales procedures and identification verification procedures comply with established protocol;

(3) utilizes forensic digital identification systems, or other means acceptable to the department, to verify the authenticity of identification at the point of sale;

(4) prohibits sales of beer and wine in student sections with designated concession areas; and

(5) prohibits sales of beer and wine to customers presenting vertical identification cards.

(B) The department shall consider these preventative measures and other factors described in Section 61-4-590(C) when assessing administrative penalties in the event violations of this chapter occur and may reduce any administrative penalty when the department finds the permit holder acted in good faith to prevent a violation.

SECTION X. Section 61-4-590 of the S.C. Code is amended by adding:

(C) In administering the provisions of this section, the department shall develop and implement an alternate revenue and penalty structure for collegiate sporting venues which recognizes the unique characteristics of such venues including, but not limited to, the number of sales locations within the collegiate sporting venue, sales volume and number of patrons served per event held at such collegiate sporting venue, number of sales personnel necessary to staff sales locations within the collegiate sporting venue, and frequency of events held at such collegiate sporting venue during which sales of beer and wine occur. The department shall develop and implement the alternative revenue procedure and penalty structure for collegiate sporting venues not later than August 31, 2025. The department shall determine the seating capacity necessary for a collegiate sporting venue to be subject to the alternate revenue procedure and penalty structure.

Renumber sections to conform.

Amend title to conform.

W. NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill authorizes DOR to issue a biennial permit or license to a nonprofit corporation that manages a performing arts and convention complex which authorizes the purchase and sale for on‑premises consumption of beer and wine or the purchase and sale for on‑premises consumption of alcoholic liquors by the drink. The bill defines a performing arts and convention complex as a performing arts and convention facility, along with its ancillary grounds and facilities, that is owned by a municipality; has performance hall seating of at least 1,600 seats and at least 12,000 square feet of meeting, exhibition, and convention space; and engages in tourism promotion.

**Department of Revenue.** This bill will have no expenditure impact for DOR. The department indicates that it has processes in place to update its forms and website information and anticipates that any expenses can be managed with existing appropriations.

State Revenue

This bill authorizes DOR to issue a biennial permit or license to a nonprofit corporation that manages a performing arts and convention complex which authorizes the purchase and sale for on‑premises consumption of beer and wine or the purchase and sale for on‑premises consumption of alcoholic liquors by the drink. DOR indicates that it will offer a PSV license authorizing the purchase and sale for on-premises consumption of beer, wine, and alcoholic liquors by the drink at qualifying performing arts and convention complexes. DOR will charge a nonrefundable filing fee of $500 for processing each application, $200 of which goes to SLED and $300 of which is credited to the General Fund. DOR will further charge $6,100 for the biennial PSV license. Of this amount, $100 is credited to SLED, and $6,000 is credited to the General Fund.

This bill may result in an undetermined increase in General Fund revenue and Other Funds revenue of SLED due to the creation of a new PSV license authorizing the purchase and sale for on-premises consumption of beer, wine, and alcoholic liquors by the drink at a performing arts and convention complex. However, RFA is unable to estimate the number of new licenses that will be issued pursuant to this bill. Therefore, the impact to General Fund revenue and to Other Funds revenue of SLED are undetermined and will depend upon the number of licenses issued.

RFA anticipates that this bill will have a minimal impact on beer, wine, and liquor sales and resulting sales and alcohol tax revenues. Although we anticipate the provisions of this bill may cause a shift in the manner in which consumers purchase beer, wine, or alcoholic liquors, the provisions of the bill are not expected to result in a material expansion of beer, wine, or alcoholic liquor purchases.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61‑2‑100, RELATING TO THE PERSONS ENTITLED TO BE LICENSEES OR PERMITTEES, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; BY AMENDING SECTION 61‑4‑515, RELATING TO THE PERMIT FOR PURCHASE AND SALE FOR ON‑PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; AND BY AMENDING SECTION 61‑6‑2016, RELATING TO THE BIENNIAL LICENSE FOR PURCHASE AND SALE FOR ON‑PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES.

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

SECTION 1. Section 61‑2‑100(H)(2) of the S.C. Code is amended by adding:

(j) notwithstanding any other provision of law, a license or permit may be issued to a nonprofit corporation that manages a performing arts and convention complex as defined in Sections 61‑6‑2016(D)(5) and 61‑4‑515(D)(5), which is considered to be the applicant pursuant to Section 61‑2‑160. The nonprofit corporation shall designate its chief executive officer or other officer of the nonprofit corporation of good moral character, over the age of twenty‑one, and a resident of this State in whose name the permit or license must be held on behalf of the nonprofit corporation and the nonprofit corporation may substitute another officer of the nonprofit corporation if the individual is of good moral character, over the age of twenty‑one, and a resident of this State, and upon notice in writing of the substitution to the department.

SECTION 2. Section 61‑4‑515 of the S.C. Code is amended to read:

Section 61‑4‑515. (A) In addition to the permits authorized pursuant to the provisions of this article, the department also may issue a biennial permit to the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, or baseball complex located in this State, which authorizes the purchase and sale for on‑premises consumption of beer and wine at any occasion held on the grounds of the complex year round on any day of the week. The nonrefundable filing fee and the fees for the motorsports, tennis complex, soccer complex, performing arts and convention complex, or baseball complex biennial permit are the same as for other biennial permits for on‑premises consumption of beer and wine, with the revenue therefrom used for the purposes provided in Section 61‑4‑510. Notwithstanding another provision of this article, the issuance of this permit authorizes the permit holder to purchase beer and wine from licensed wholesalers in the same manner that a person with appropriate licenses issued pursuant to this title purchases beer and wine from licensed wholesalers. The department in its discretion may specify the terms and conditions of the permit, pursuant to the provisions of Chapter 4, Title 61, and other applicable provisions under Title 61.

(B) The department may require such proof of qualifications for the issuance of these permits as it considers necessary, pursuant to the provisions of Chapter 4, Title 61, and these permits may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, or baseball complex is located in a county or municipality which pursuant to Section 61‑6‑2010 successfully has held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty‑four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume beer and wine provided at their own expense or at the expense of the sponsor of the private function.

(D) For purposes of this section:

(1) “Motorsports entertainment” has the same meaning as provided in Section 12‑21‑2425.

(2) “Tennis specific complex” means a tennis facility, and its ancillary grounds and facilities, which satisfies all of the following:

(a) has at least ten thousand fixed seats for tennis patrons;

(b) hosted one Women’s Tennis Association Premier tournament in 2013 and continues to host at least one Women’s Tennis Association Premier tournament in each year, or any successor Women’s Tennis Association tournament; and

(c) engages in tourism promotion.

(3) “Baseball complex” means a baseball stadium, and its ancillary grounds and facilities, that hosts a professional league baseball team.

(4) “Soccer complex” means a soccer facility, along with its ancillary grounds and facilities, that hosts a professional league soccer team.

(5) “Performing arts and convention complex” means a performing arts and convention facility, along with its ancillary grounds and facilities, that satisfies all of the following:

(a) is owned by a municipality;

(b) has performance hall seating of at least one thousand six hundred seats and at least twelve thousand square feet of meeting, exhibition, and convention space; and

(c) engages in tourism promotion.

SECTION 3. Section 61‑6‑2016 of the S.C. Code is amended to read:

Section 61‑6‑2016. (A) In addition to the other provisions of this chapter, the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, or performing arts and convention complex, or baseball complex that is located in this State may be issued, upon application, a biennial license that authorizes the purchase and sale for on‑premises consumption of alcoholic liquors by the drink at any occasion held on the grounds of the complex under the same terms and conditions provided in Section 61‑4‑515, and the nonrefundable filing fee and license fee are the same as for other biennial licenses issued by the department for on‑premises consumption of alcoholic liquors by the drink. In the event that the owner or his designee applies for both a permit to purchase and sell for on‑premises consumption beer and wine and a license to purchase and sell for on‑premises consumption alcoholic liquors by the drink, only one fee is required, which is the same as the fee for the fifty‑two week local option permit under Section 61‑6‑2010 with the revenue therefrom used for the same purposes as provided in Section 61‑6‑2010.

(B) The department may require such proof of qualifications for the issuance of these licenses as it considers necessary, pursuant to the provisions of Chapter 6, Title 61, and these licenses may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, or performing arts and convention complex, or baseball complex is located in a county or municipality, which pursuant to Section 61‑6‑2010 has successfully held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty‑four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume alcoholic liquors by the drink provided at their own expense or at the expense of the sponsor of the private function.

(D) For purposes of this section:

(1) “Motorsports entertainment complex” has the same meaning as provided in Section 12‑21‑2425.

(2) “Tennis specific complex” means a tennis facility, and its ancillary grounds and facilities, that satisfies all of the following:

(a) has at least ten thousand fixed seats for tennis patrons;

(b) hosted one Women’s Tennis Association Premier tournament in 2013 and continues to host at least one Women’s Tennis Association Premier tournament in each year, or any successor Women’s Tennis Association tournament; and

(c) engages in tourism promotion.

(3) “Baseball complex” means a baseball stadium, and its ancillary grounds and facilities, that hosts a professional league baseball team.

(4) “Soccer complex” means a soccer facility, along with its ancillary grounds and facilities, that hosts a professional league soccer team.

(5) “Performing arts and convention complex” means a performing arts and convention facility, along with its ancillary grounds and facilities, that satisfies all of the following:

(a) is owned by a municipality;

(b) has performance hall seating of at least one thousand six hundred seats and at least twelve thousand square feet of meeting, exhibition, and convention space; and

(c) engages in tourism promotion.

SECTION 4. This act takes effect upon approval by the Governor.

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