

## A193, R211, S820

### STATUS INFORMATION

General Bill

Sponsors: Senators Fanning, Climer and Peeler

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Introduced in the Senate on January 9, 2018

Introduced in the House on April 10, 2018

Last Amended on May 9, 2018

Passed by the General Assembly on May 10, 2018

Governor's Action: May 17, 2018, Signed

Summary: Temporary alcohol permits, referendum vote

### HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/6/2017	Senate	Prefiled
12/6/2017	Senate	Referred to Committee on <b>Judiciary</b>
1/9/2018	Senate	Introduced and read first time ( <a href="#">Senate Journal-page 69</a> )
1/9/2018	Senate	Referred to Committee on <b>Judiciary</b> ( <a href="#">Senate Journal-page 69</a> )
3/16/2018	Senate	Referred to Subcommittee: Hutto (ch), Malloy, Shealy, Rice, Timmons
3/28/2018	Senate	Recalled from Committee on <b>Judiciary</b> ( <a href="#">Senate Journal-page 3</a> )
3/29/2018	Senate	Amended ( <a href="#">Senate Journal-page 53</a> )
3/29/2018	Senate	Read second time ( <a href="#">Senate Journal-page 53</a> )
3/29/2018	Senate	Roll call Ayes-39 Nays-0 ( <a href="#">Senate Journal-page 53</a> )
4/9/2018	Senate	Read third time and sent to House ( <a href="#">Senate Journal-page 34</a> )
4/10/2018	House	Introduced and read first time ( <a href="#">House Journal-page 9</a> )
4/10/2018	House	Referred to Committee on <b>Judiciary</b> ( <a href="#">House Journal-page 9</a> )
5/3/2018	House	Committee report: Favorable with amendment <b>Judiciary</b> ( <a href="#">House Journal-page 42</a> )
5/9/2018	House	Amended ( <a href="#">House Journal-page 65</a> )
5/9/2018	House	Read second time ( <a href="#">House Journal-page 65</a> )
5/9/2018	House	Roll call Yeas-87 Nays-0 ( <a href="#">House Journal-page 66</a> )
5/10/2018	House	Read third time and returned to Senate with amendments ( <a href="#">House Journal-page 14</a> )
5/10/2018	Senate	Concurred in House amendment and enrolled ( <a href="#">Senate Journal-page 46</a> )
5/10/2018	Senate	Roll call Ayes-41 Nays-1 ( <a href="#">Senate Journal-page 46</a> )
5/14/2018		Ratified R 211
5/17/2018		Signed By Governor
5/24/2018		Effective date 05/17/18
5/31/2018		Act No. 193

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## VERSIONS OF THIS BILL

[12/6/2017](#)

[3/28/2018](#)

[3/29/2018](#)

[5/3/2018](#)

[5/9/2018](#)

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(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

(A193, R211, S820)

**AN ACT TO AMEND SECTION [61-6-2010](#), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY ALCOHOL PERMITS UPON A REFERENDUM VOTE, SO AS TO DELETE A PRIOR REFERENCE TO A DATE AND PROVIDE A SUBSEQUENT REFERENDUM MAY NOT BE HELD LESS THAN FORTY-EIGHT MONTHS FOLLOWING THE FAILURE OF A QUESTION.**

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

### **Alcohol, temporary permits by referendum, timing**

SECTION 1. Section [61-6-2010](#)(C) of the 1976 Code is amended to read:

"(C)(1) A permit authorized by this section may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election commission within sixty days after receiving the petition form. The referendum must be conducted at the next general election. The election commission shall cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws shall apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue. On or after June 21, 1993, the question on the ballot shall be one or both of the following:

(a) 'Shall the South Carolina Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the

possession, sale, and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed for consumption-on-premises sales?' or

(b) 'Shall the Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?'

(2) On or after June 21, 1993, a question authorized by this subsection may not appear on the ballot for a county or municipality less than forty-eight months following the failure of a question authorized by this subsection in said county or municipality.

(3) The expenses for a referendum for this purpose must be paid by the county or municipality conducting the referendum.

(4) In addition to the petition method of calling the referendum provided for in item (1) of this subsection, a county or municipal governing body by ordinance may also call the referendum. Upon receipt of a copy of the ordinance filed with the county or municipal election commission at least sixty days before the date of the next general election, the commission shall conduct the referendum in the manner provided in this section at that general election. The provisions of this item are in addition to the authority of a municipal governing body to call for a referendum under the circumstances enumerated in subsection (D)."

### **Time effective**

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

Ratified the 14th day of May, 2018.

Approved the 17th day of May, 2018.