**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3695**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

Document Path: l:\council\bills\cc\15969zw21.docx

Introduced in the House on January 14, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Governor may not prohibit sale of alcohol before 12 am by holders of certain types of licenses

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/14/2021 House Introduced and read first time ([House Journal‑page 572](file:///h:\hj\20210114.docx))

1/14/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 572](file:///h:\hj\20210114.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3695&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/14/2021](file:///p:\pprever\2021-22\3695_20210114.docx)

**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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