**South Carolina General Assembly**

119th Session, 2011-2012

**A66, R100, H3178**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Limehouse, Hixon and Long

Document Path: l:\council\bills\dka\3155zw11.docx

Companion/Similar bill(s): 231

Introduced in the House on January 11, 2011

Introduced in the Senate on February 23, 2011

Last Amended on June 2, 2011

Passed by the General Assembly on June 15, 2011

Governor's Action: June 17, 2011, Signed

Summary: Sale of beer and wine

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/7/2010 House Prefiled

 12/7/2010 House Referred to Committee on **Judiciary**

 1/11/2011 House Introduced and read first time ([House Journal‑page 72](file:///h%3A%5Chj%20archive%5C2011%5C01-11-11.docx))

 1/11/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 72](file:///h%3A%5Chj%20archive%5C2011%5C01-11-11.docx))

 1/12/2011 House Member(s) request name added as sponsor: Long

 2/16/2011 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 4](file:///h%3A%5Chj%20archive%5C2011%5C02-16-11.docx))

 2/22/2011 House Amended ([House Journal‑page 29](file:///h%3A%5Chj%20archive%5C2011%5C02-22-11.docx))

 2/22/2011 House Read second time ([House Journal‑page 29](file:///h%3A%5Chj%20archive%5C2011%5C02-22-11.docx))

 2/23/2011 House Read third time and sent to Senate ([House Journal‑page 19](file:///h%3A%5Chj%20archive%5C2011%5C02-23-11.docx))

 2/23/2011 Senate Introduced and read first time ([Senate Journal‑page 22](file:///h%3A%5Csj%20archive%5C2011%5C02-23-11.docx))

 2/23/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 22](file:///h%3A%5Csj%20archive%5C2011%5C02-23-11.docx))

 3/2/2011 Senate Committee report: Favorable with amendment **Judiciary**

 3/3/2011 Scrivener's error corrected

 3/9/2011 Senate Committee Amendment Adopted ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C03-09-11.docx))

 3/9/2011 Senate Read second time ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C03-09-11.docx))

 3/9/2011 Senate Roll call Ayes‑36 Nays‑2 ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C03-09-11.docx))

 3/10/2011 Scrivener's error corrected

 6/1/2011 Senate Amended ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 6/1/2011 Senate Read third time and returned to House with amendments ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 6/1/2011 Senate Roll call Ayes‑37 Nays‑1 ([Senate Journal‑page 18](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 6/2/2011 House Senate amendment amended ([House Journal‑page 95](file:///h%3A%5Chj%20archive%5C2011%5C06-02-11.docx))

 6/2/2011 House Roll call Yeas‑83 Nays‑9 ([House Journal‑page 95](file:///h%3A%5Chj%20archive%5C2011%5C06-02-11.docx))

 6/2/2011 House Returned to Senate with amendments ([House Journal‑page 95](file:///h%3A%5Chj%20archive%5C2011%5C06-02-11.docx))

 6/15/2011 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 238](file:///h%3A%5Csj%20archive%5C2011%5C06-15-11.docx))

 6/15/2011 Senate Roll call Ayes‑22 Nays‑12 ([Senate Journal‑page 238](file:///h%3A%5Csj%20archive%5C2011%5C06-15-11.docx))

 6/16/2011 Ratified R 100

 6/17/2011 Signed By Governor

 6/22/2011 Effective date 06/17/11

 6/27/2011 Act No. 66

**VERSIONS OF THIS BILL**

[12/7/2010](file:///p%3A%5Cpprever%5C2011-12%5C3178_20101207.docx)

[2/16/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110216.docx)

[2/22/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110222.docx)

[3/2/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110302.docx)

[3/3/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110303.docx)

[3/9/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110309.docx)

[3/10/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110310.docx)

[6/1/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110601.docx)

[6/2/2011](file:///p%3A%5Cpprever%5C2011-12%5C3178_20110602.docx)

(A66, R100, H3178)

**AN ACT TO AMEND SECTION 61‑6‑1035, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR AUTHORIZATION FOR THE SAMPLING OF CERTAIN WINES, CORDIALS, AND OTHER DISTILLED SPIRITS SOLD IN A RETAIL ALCOHOLIC LIQUOR STORE, SO AS TO REQUIRE THE SAMPLE PRODUCTS BE LIMITED TO ONE WHOLESALER AT A TIME, TO REQUIRE THAT THE NOTICE OF THE SAMPLING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION CONTAIN A COPY OF A CERTIFICATE OF LIABILITY INSURANCE FOR THOSE CONDUCTING THE SAMPLING, TO REQUIRE THAT ALL PRODUCT SAMPLES BE PURCHASED BY THE RETAILER FROM A LICENSED WHOLESALER, TO REQUIRE ALL ASSOCIATED COSTS OF THE SAMPLING BE PAID FOR BY THOSE CONDUCTING THE SAMPLING, AND TO ALLOW A RETAILER TO CONDUCT THE SAMPLING.**

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

**Requirements for the sampling of certain alcoholic beverages sold in a retail alcoholic liquor store**

SECTION 1. Section 61‑6‑1035 of the 1976 Code is amended to read:

 “Section 61‑6‑1035. Notwithstanding the provisions of Section 61‑6‑1500, the sampling of wines containing over sixteen percent by volume of alcohol, cordials, and other distilled spirits sold in a retail alcoholic liquor store is authorized if the sampling is conducted as follows:

 (1) No sample may be offered from more than four products at one time.

 (2) The sample is limited to products from no more than one wholesaler at one time.

(3) No more than one bottle of each of the four products to be sampled may be opened.

 (4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.

 (5) Samples must be less than one‑half ounce for each product sampled.

 (6) No person may be served more than one sample of each product.

 (7) No sampling may be offered for longer than four hours.

 (8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.

 (9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty‑one years. This person must not be allowed to loiter on the store premises.

 (10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, an employee of a wholesaler, or an agent of a wholesaler.

 (11) No retail alcoholic liquor store may offer more than one sampling per day.

 (12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by Section 61‑6‑100(3).

 (13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.”

**Time effective**

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

Ratified the 16th day of June, 2011.

Approved the 17th day of June, 2011.

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