**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3146**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and Kilmartin

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Introduced in the House on January 10, 2023

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

Summary: Alcohol Sales

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 House Introduced and read first time (House Journal‑page 76)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 76)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3146&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3146_20221208.docx)

A bill

TO AMEND the south carolina code of laws by amending SECTION 25‑1‑440, RELATING TO the 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 S.C. Code is amended by adding a subsection to read:

 (f)(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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