

1973 WL 26603 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 9, 1973

***1 In re: Sunday Possession of Alcoholic Beverages in Bented Areas of Motels**

Honorable Alton S. Frick
Magistrate
Route 1
Chapin, South Carolina

Dear Mr. Frick:

You have inquired whether or not it is unlawful under South Carolina law for a group of persons to possess alcoholic beverages on Sunday in separate and private areas of motels. Section 4-29(2)(b) has been amended by Act No. 1063 of 1972, effective March 16, 1972, to permit possession of alcoholic beverages on Sunday or any other day 'in separate and private areas of an establishment whether or not such an establishment includes premises which are licensed pursuant to subsection (3)(4) of this Section, where specific individuals have leased such areas for a function not open to the general public'.

In accordance with the Alcoholic Beverage Control Commission's position as to applicability of the 1972 Amendment, it is the opinion of this Office that a separate and private area of a motel or hotel would come within the exemption provided if the other conditions of the exemption are met, *i.e.*, that the person to whom the area or areas are rented are strictly private individuals not engaged in any sort of business and that the area is used strictly for private functions to which the public is not invited directly or indirectly.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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