

South Carolina Laws & Regulations Summary

Regulations for this jurisdiction last reviewed on 04/05/2006

General Regulations

DUI and DWI Limit Under 21	02 (SC Code Ann. 56-1-286(A). <i>Last Updated 12/23/2005</i>
Notes on Selling and/or Serving	Effective January 1, 2006, on premises consumption licensees will no longer be required to purchase alcoholic liquor in minibottles for sale to customers. <i>Last Updated 12/23/2005</i>
Notes on Liability Laws	Information is not available at this time. <i>Last Updated 05/23/2005</i>
Age to Pour	All bartenders must be 21 years of age. <i>Last Updated 12/23/2005</i>
Age to Sell	No minimum age to sell sealed container Serving open beer and wine - 18 Serving open liquors - 18 Mixing/pouring liquor drinks/bartending - 21 Bartending - 21 (Revenue Ruling 9504, SC Code An.. 12-4-320) <i>Last Updated 12/23/2005</i>
Age to Serve	18 <i>Last Updated 01/25/2005</i>
DUI and DWI Limit	.08, or any amount that would "materially or appreciably" impair one's driving ability (SC Code Ann. 56-5-2930(1), 56-5-2933). <i>Last Updated 12/23/2005</i>
Maximum Alcohol per Drink	Not Regulated <i>Last Updated 01/25/2005</i>
Number of Drinks at One Time	Not Regulated <i>Last Updated 01/25/2005</i>
Dram Shop Liability Laws	Serving a visibly intoxicated person in an establishment is forbidden under statute. South Carolina does not recognize a "first party" cause of action against the tavern owner by an intoxicated adult. While serving a visibly intoxicated person can be considered negligence per se, contributory negligence and breaks in the chain of causation (61-4-580(2), 61-6-2220, Tobias v Sports Club 332 SC 90 (1998). <i>Last Updated 12/23/2005</i>
Social Host Liability Laws	Generally, there is no liability for a social host for the actions of his adult guests. Social host is liable for actions of a minor resulting from serving minor alcohol at host's event. (Barnes v Cohen Dry Wall, 357 SC 280 (Ct. App. 2003). <i>Last Updated 12/23/2005</i>
Age to Consume	21 <i>Last Updated 01/25/2005</i>
Server Training Regulated	Yes <i>Last Updated 01/25/2005</i>
Notes on Server Training Regulations	Server training is voluntary. TIPS On-Premise, Off-Premise, TIPS for Concessions, and TIPS for Social Functions are all approved. The SC Law Enforcement Division (SLED) no longer offers any program for training servers, and any program seeking to be approved by the state must be submitted to the S.C. Department of Revenue. <i>Last Updated 07/14/2005</i>

Hours of Sale

South Carolina Laws & Regulations Summary

Regulations for this jurisdiction last reviewed on 04/05/2006

On Premise

Nonprofit organizations:

May sell, and members and guests of members may consume liquor on these premises between the hours of 10:00AM and 2:00AM seven days a week (SC Code Ann. 61-6-1610), SC Regulation 7-401).

Food Service Establishments and Places of Lodging<
May sell, and patrons may consume, liquor on these premises between the hours of 10:00AM and 2:00AM the following morning, except between midnight Saturday night and midnight Sunday night.

Locations with a Local Option Permit:

May sell and patrons may consume liquor on these premises between 10:00AM and 2:00AM the following morning 7 days a week.

Locations licensed to sell beer or wine ONLY for on-premises consumption:

May sell, and patrons may consume beer or wine on these premises at any time except between midnight Saturday night and sunrise Sunday morning. This allows such locations to sell (and patrons to consume) beer or wine at any time after sunrise Monday morning until midnight Saturday night.

Locations licensed to sell beer/wine AND licensed to sell liquor (minibottles) for on premises consumption:

In addition to the hours that beer or wine may be sold, these locations may sell, and patrons may consume, beer or wine on these premises during the same hours the location is permitted to sell, and patrons are allowed to consume liquor (minibottles).

Sale of beer and wine for off premises consumption

Locations may sell beer and wine 24 hours a day, except between the hours of Midnight Saturday and Sunrise Sunday morning.

Seven Day Permit

May sell beer and wine 24 hours a day seven days a week. (These businesses must be located in counties and municipalities where a majority of the voters have approved the sale of alcoholic liquors in minibottles on Sundays by referendum vote.)

Licensed South Carolina Wineries - Sunday Wine Sales

A licensed winery located in a county or municipality that has conducted a favorable referendum under the provisions of Section 61-6-2010 (ie, Sunday sales of alcoholic liquor), during those same hours authorized by permits issued under Section 61-6-2010, may sell, possess, and permit the consumption of wine on the premises.

Last Updated 03/01/2006

Off Premise

Sale of beer and wine for off premises consumption:

Locations may sell beer and wine 24 hours a day, except between the hours of 12 midnight Saturday night and sunrise Monday morning.

Seven day permit:

If you have a special seven day permit you may sell beer and wine 24 hours, 7 days a week. (These businesses must be located in counties and municipalities where a majority of the voters have approved the sale of alcoholic liquors in minibottles on Sundays by referendum vote.)

Last Updated 07/15/2005

ID's/Minors

Acceptable Forms of ID

Driver's License from any state
South Carolina issued ID card with photo and birth date
U.S. Military Identification
U.S. Passport
Last Updated 06/30/2004

Recommended age for carding

None.
Last Updated 06/30/2004

Notes on ID Confiscation

None
Last Updated 02/11/2004

Policies Regarding Minors

The legal age to possess, purchase or consume alcohol is 21.
Last Updated 02/11/2004

South Carolina Laws & Regulations Summary

Regulations for this jurisdiction last reviewed on 04/05/2006

ID Confiscation Allowed Yes
Last Updated 01/25/2005

Liability and Legal Info

Non-alcoholic beer and wine None
Last Updated 02/11/2004

Liquor Liability Beer/wine 1st. offense \$500 fine, maximum-license revocation.
Nonprofit organizations:
Liquor retailer for on premises consumption - 1st. offense \$400, maximum - revocation.
Liquor retailers (store) 1st. offense \$500 fine, maximum-license revocation.
Last Updated 12/23/2005

Statute of Limitations No information available at this time.
Last Updated 09/21/2004

Happy Hour Laws Licensees may not offer two-or-more-for-the-price-of-one drink specials and may not give free mixed drinks, beer or wine. Regular drink prices may be reduced between 4:00 p.m. and 8:00 p.m. only.
Last Updated 02/11/2004

Interior/Exterior Signage

Displays May be set up by retailers or wholesalers as referenced in Regulation 7-200.5, SC Code Ann. 61-4,1530, and 61-4-490. Retail price displays may be placed in windows of places of sale of liquors and spirits for off premises consumption, as long as advertising does not appeal to minors (Eff. July 1, 2005).
Last Updated 12/23/2005

Point of Sale (POS) Advertising No express state statute or regulation, but mentioned in regulation 7-200.4, SC Code Ann. 61-4-70, and 61-6-1530 as being allowed.
Last Updated 12/23/2005

Tastings

Consumer Tastings - Off Premise Consumer tastings are not allowed at off-premise establishments. SC Code sec 61-6-4700 & 61-6-2820.
Last Updated 06/17/2004

Staff Training Tastings No information is available
Last Updated 06/17/2004

South Carolina Laws & Regulations Summary

Regulations for this jurisdiction last reviewed on 04/05/2006

Consumer Tastings - On Premise

Wine, beer, and liquor tastings:

Notwithstanding any other provision of law or regulation, the holder of a retail wine permit for off premises consumption whose primary product is beer, wine, or distilled spirits may conduct, in accordance with department rulings or regulations, not more than twenty-four wine tastings at the retail location in a calendar year.

Notwithstanding another provision of law, a licensed winery located in this state is authorized to sell wine produced on its premises with a majority of the juice from fruit and berries which are grown in this state with an alcoholic content of sixteen percent or less on the winery premises. These wineries are authorized to provide, with or without cost, wine taste samples to prospective customers.

Samplings of wines in excess of sixteen percent alcohol, cordials, and distilled spirits, in place of business with minibottle license:

(1) The establishment must have a permanent seating capacity of fifty or more persons;(2) Samples may not be offered from more than four products at any one time;(3) The sampling must be held in the bar area of a licensed establishment and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting;(4) Samples must be less than one-half ounce for each product sampled;(5) A person may not be served more than one sample of each product;(6) Sampling may not be offered for more than four hours;(7) At least five 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;(8) A sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years;(9) A licensed establishment may not offer more than one sampling each day; and(10) The sampling must be conducted by the manufacturer or wholesaler or an agent of the manufacturer or wholesaler.

Last Updated 12/23/2005

Promo Items

Promo items to Consumers

Glassware and non-alcoholic products, if packaged in the package with the liquor in original manufacturer's package, may be given to the consumer.

Last Updated 12/23/2005

Promo Items to Retailer

No express state statute or regulation. SC Code sec 61-6-1540(A); SC Code Regs sec 7-34.

Last Updated 06/17/2004

Solicitor Permit

Solicitor Permit

No information is available

Last Updated 06/17/2004

Coupons

Cents off coupons

Discount promotions are allowed on alcoholic beverages and beer and wine as long as they:1. Are based on quantity purchased from the distributor.

2. Show up on the sales record.

3. Are offered to every retailer.

4. Discount is based on the price only (no free beer or fixtures).

5. Participation in the promotion is voluntary.

(SC Code Ann. 61-4-940, Revenue Ruling 94-8)

Last Updated 12/23/2005

Refund coupons

Refund coupons are not allowed, but producer may redeem by mail proof-of-purchase certificates for non-alcohol promotion items SC Code sec 61-6-2980

Last Updated 06/17/2004

Contact Information

Contact

Department of Revenue, Regulatory Division, in Columbia

Last Updated 04/05/2006

Phone

(803) 898-5864



South Carolina Laws & Regulations Summary

Regulations for this jurisdiction last reviewed on 04/05/2006

Last Updated 04/12/2006

Email address

stites@app1.dor.state.sc.us

Last Updated 02/11/2004

Web URL Address

www.sctax.org

Last Updated 12/23/2005

This information has been provided to us by the regulating agency and is believed to be correct. However, laws and regulations may change at any time, and the information provided should not be relied upon in place of official documents. For more information or clarification, consult the regulatory body for this jurisdiction directly.