

ABL 901 Checklist:

For your application to be processed you must fulfill ALL of the following requirements:

ABL 901 Checklist:

- 1. Completed application, signed, dated and notarized.
- 2. Submit nonrefundable filing fees.
- 3. Submit an Affidavit of Publication from the newspaper running your ad. The affidavit must include a copy of your ad. If you have just started your ad in the newspaper and have not received the ad and affidavit, you **must** include the receipt from the newspaper with your application. Forward the ad and affidavit from the newspaper as soon as the newspaper provides it to you. Your license/permit cannot be issued until this is received. Must have a current Ad, not more than 30 days old from last publication date.
(Note page 3 of General Information for list of approved newspapers for your location.)
- 4. Must complete the "Consent and Waiver" on page 3 of the application.
- 5. Must attach a copy of Articles of Incorporation if applying as a corporation.
- 6. Must attach a copy of Articles of Organization and Operating Agreement if applying as a Limited Liability Corporation (LLC).
- 7. Must attach a copy of bylaws if applying as a nonprofit private club.
- 8. Must attach a criminal records check, not more than 90 days old, on all principals. If any principals are nonresidents of SC or have not resided in SC for at least two years, you must attach a current criminal history background check obtained from the state of residency or former residency for each nonresident. These background checks must accompany your application. See page 3, for a definition of a "principal". For SC residents you can obtain these checks online at www.sled.state.sc.us; or at SLED Headquarters, 4400 Broad River Rd, PO Box 21398, Columbia, SC 29221 (between the hours of 8:30 a.m. and 5:00 p.m. or by mail by forwarding your request to: SLED, PO Box 21398, Columbia, SC 29221-1398, ATTN: Criminal Records Department. You must enclose a self-addressed envelope and furnish your full name, social security number and date of birth. Record checks from SLED require a \$25.00 fee payable by money order or business check made out to SLED. **No personal checks or cash are accepted by SLED.**
- 9. Must attach Certificate to do Business in SC if applying as a foreign corporation.
- 10. Must attach a copy of your lease, deed or tax bill for the location for which you are seeking a license. The lease, deed, or tax bill must be in the applicant's name and list the physical address of business and location.
- 11. If applying as a partnership submit partnership agreement. If LLC or LLP must submit copy of operating agreement or membership agreement.

If also applying for 120 days temporary permit or license, In addition to the above attach:

- a. \$25 for each temporary permit requested. If applying for a temporary beer/wine permit AND a minibottle permit, \$50 would be required.
- b. Must attach a copy of bill of sale, lease, probate document, divorce decree, or eviction order or document showing how the applicant acquired the business. The bill of sale or lease must be in the name of the applicant.
- c. If applying as a sole proprietor, a current SLED criminal history background check is required on the applicant. If applying as a corporation, partnership, limited liability company or limited partnership, a current SLED criminal history background check is required on each principal. (see # 8 above)
- d. Attach the original existing biennial permit/license from the existing business that has not expired, been suspended or revoked.
- e. Must attach proof of Grade A DHEC certificate issued for this location if applying for Restaurant Minibottle.
- f. Have a Sales Tax Registration Number (include it on ABL-901, page 1, #10).
- g. If sole proprietor - Social Security Number, other than Sole Proprietor, a FEI number.



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
**APPLICATION FOR RETAIL BEER,
WINE, AND LIQUOR**

ABL-901

(Rev. 6/20/05)
4280

Mail to: SC Department of Revenue, ABL Section, Columbia, SC 29214-0908
Telephone: (803) 898-5864 DOR Website: www.sctax.org

File Number: _____

License Type	Nonrefundable Filing Fee	License Fee
<input type="checkbox"/> On premises beer & wine	\$ 300.00	\$ 600.00 biennially
<input type="checkbox"/> Off premises beer & wine	\$ 300.00	\$ 600.00 biennially
<input type="checkbox"/> Brewpub	\$ 300.00	\$ 2,200.00 biennially
<input type="checkbox"/> 7-day off-premises beer & wine	\$ 300.00	\$ 2,200.00 biennially
<input type="checkbox"/> Sunday/Sabbath beer & wine	\$ 300.00	\$ 700.00 biennially
<input type="checkbox"/> Business (restaurant/hotel/motel) minibottle	\$ 200.00	\$ 1,700.00 biennially
<input type="checkbox"/> Nonprofit private club minibottle	\$ 200.00	\$ 1,700.00 biennially
<input type="checkbox"/> Retail liquor store	\$ 200.00	\$ 1,400.00 biennially
<input type="checkbox"/> Alcoholic liqueurs (cooking license)	\$ -0-	\$ 250.00 biennially
<input type="checkbox"/> *Certification fee	\$ -0-	\$ 5.00
<input type="checkbox"/> 120 day temporary beer & wine	\$ -0-	\$ 25.00
<input type="checkbox"/> 120 day temporary mini bottle	\$ -0-	\$ 25.00
<input type="checkbox"/> 120 day temporary retail liquor	\$ -0-	\$ 25.00

*(Certification fee is required, in addition to filing fees, if you are applying for a license at a location that is currently licensed to sell minibottles or retail liquor. 61-6-120)

PLEASE PRINT OR TYPE ALL INFORMATION	
1. OWNER, PARTNERSHIP, OR CORPORATE CHARTER NAME	5. TRADE NAME (DOING BUSINESS AS)
2. PHYSICAL LOCATION OF BUSINESS REQUIRED (NO P.O. BOX)	6. BUSINESS PHONE NUMBER DAYTIME PHONE NUMBER
_____ STREET _____	7. FEDERAL IDENTIFICATION NUMBER AND/OR SOCIAL SECURITY NO.
CITY COUNTY (REQUIRED) STATE ZIP	8. DESCRIBE THE NATURE OF YOUR BUSINESS (RESTAURANT, CONVENIENCE STORE, ETC.)
3. MAILING ADDRESS (FOR ALL CORRESPONDENCE)	9. IS BUSINESS WITHIN SC MUNICIPAL LIMITS?
_____ STREET _____	<input type="checkbox"/> YES <input type="checkbox"/> NO WHICH CITY?
CITY COUNTY STATE ZIP	10. WHAT IS YOUR RETAIL SALES TAX NUMBER?
4. TYPE OF OWNERSHIP	
<input type="checkbox"/> SOLE PROPRIETOR (one owner) <input type="checkbox"/> PARTNERSHIP (two or more owners)	
<input type="checkbox"/> LLC/LLP <input type="checkbox"/> SC CORPORATION DATE INC. _____	
<input type="checkbox"/> FOREIGN CORPORATION (ATTACH COPY OF ARTICLES OR CERTIFICATE OF AUTHORITY).	
<input type="checkbox"/> NON-PROFIT ORGANIZATION	
<input type="checkbox"/> OTHER (EXPLAIN) _____	

11. HAS THIS LOCATION BEEN PREVIOUSLY LICENSED TO SELL BEER, WINE AND/OR ALCOHOLIC LIQUORS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES PRINT NAME OF BUSINESS AND BEER, WINE AND LICENSE PERMIT NUMBER.	
A. PREVIOUS OPERATORS LICENSE NUMBER:	B. NAME OF BUSINESS :
_____	_____
	(Full organization name including trade name)

COMPLETE REVERSE SIDE OF THIS FORM

DESIGNATED AGENT

A. (1) Give the name of the person you are appointing as the designated agent under § 61-2-100(F) for service of all

notices concerning the permit or license: _____

The designated agent can be an owner, partner, officer, or any other person that the applicant wishes to receive notices from the Department. No person may act as agent for more than one business entity unless that person has an ownership interest in the entities. I understand that the Department will give me notice by mailing it to this person listed above at the address shown on line three on the front of this form, and that it is my responsibility to inform the Department if this person or mailing address changes. **Must be 21 years of age and a resident of South Carolina.**

B. Must be completed for publicly traded corporations only.

You must designate an officer or other employee of good moral character, over the age of twenty-one and a resident of South Carolina in whose name the permit or license will be held on behalf of your corporation. See § 61-2-100(H)(2)(i).

1. Designated officer or other employee: _____

2. Has the designated officer or other employee been convicted of a crime in South Carolina or any other state?
 Yes No (You must reveal any convictions whether the designated officer or other employee went to jail or not. The S.C. State Law Enforcement Division will check this person's record for convictions, and your application may be denied if you do not correctly answer this question).

C. Contact person for SLED investigation purposes: Name _____

Telephone Number _____

Processing of this application may take six to eight weeks. If the application is denied by the department or protested by a member of the public or law enforcement, it could take up to six months for a hearing to be held and a decision made on the application by the Administrative Law Court.

If applying for an off-premises beer and wine permit, wholesale beer and wine permit, or 7-day beer and wine permit, I do hereby stipulate that I will not permit the on-premises consumption of beer and wine on the licensed premises. **I understand that a violation of this stipulation will be a violation against the permit and shall constitute sufficient grounds to suspend or revoke the beer and wine permit.**

I understand that a misstatement or concealment of fact in an application is sufficient ground for the revocation of the license or permit. I consent to the inspection of the premises covered by this license or permit by any agent of the SC Department of Revenue or any law enforcement officer.

I have read the instructions to this application and to the best of my knowledge, all information provided with this application is true and accurate.

SWORN to before me this

_____ day of _____, _____.

Applicant (owner, partner, or corporate officer)

Notary Public for South Carolina

My commission expires: _____

Social Security Privacy Act Disclosure

It is mandatory that you provide your social security number on this tax form. 42 U.S.C 405(c)(2)(C)(i) permits a state to use an individual's social security number as means of identification in administration of any tax. SC Regulation 117-201 mandates that any person required to make a return to the SC Department of Revenue shall provide identifying numbers, as prescribed, for securing proper identification. Your social security number is used for identification purposes

Name of Corporation, Partnership, LLC, etc. _____

FEI _____

File Number: _____

CONSENT AND WAIVER

S.C. Code Section 61-2-160 prohibits the issuance of any permits or license under Title 61 if the applicant or any principal owes delinquent taxes, penalties, or interest to the S.C. Department of Revenue. The signature below authorizes the S.C. Department of Revenue to release to the applicant, or to the applicant's agent, attorney, information concerning delinquent taxes, penalties, or interest that is causing the denial of this application. The signature below also authorizes SLED to check, examine and release to the Department person's signed below criminal record for convictions.

1 - 12 is a list of principals. Each principal must complete and sign a box below. If a required person does not sign, this application will be denied:

Principals:

1. The owner (if sole proprietorship);
2. All officers of the business or entity which owns the business;
3. All partners (limited partners that cannot exercise management control need not sign);
4. All persons who own twenty-five percent (25%) or more of the value of the business entity;
5. All persons who own twenty-five percent (25%) or more of the combined voting power of the business or entity;
6. Managers of a limited liability company which is managed by managers;
7. Members of a limited liability company which is not managed by managers;
8. Any fiduciary who manages, controls title, or is otherwise in control of the business;
9. All employees who will have day-to-day operational management responsibility for the business or entity; and,
10. If a publicly traded corporation, the designated license holder (designated agent) (must be over 21 and a resident of S.C.).
11. If not a publicly traded corporation, list all stockholders.
12. If a nonprofit organization, list all officers and directors of the organization.

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquors?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquors?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

Additional Space on Back.

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquours?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquours?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquours?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

Name: _____ Principal/Type: (use above number) _____

Home Address: Street _____

City _____ State _____ Zip _____

Social Security No: _____ Sex: _____ Race: _____ Date of Birth: _____

Yr/Mo/Date of SC Residency: _____ Signature _____

Have you had revoked or suspended, in this or any other state, any license to sell beer, wine, or alcoholic liquours?

Yes No If yes, give details in Schedule A.

Have you been convicted of a crime in South Carolina or any other state? Yes No If yes, give details in Schedule A

GENERAL INFORMATION FOR BEER, WINE, AND ALCOHOLIC LIQUOR APPLICATIONS

(Rev. 6/20/05)

LEGAL DISCLAIMER

The information provided here is for general guidance only. It should not be considered as, or substituted for, legal advice. The department's staff is not permitted to give legal advice. Please read the laws, regulations, and applicable court decisions carefully before applying.

Processing of applications normally take six to eight weeks. If the application is denied by the department or protested by a member of the public or law enforcement, it could take up to six months for a hearing to be held and a decision made on the application by the Administrative Law Court.

This information does not constitute all of the statutes and regulations established by law. See Laws and Regulations at the Departments Website: <http://www.sctax.org>

Mail application to:

SC Department of Revenue, ABL Section, Columbia, SC 29214-0908.

Telephone (803) 898-5864, FAX (803) 898-5899, DOR Website: <http://www.sctax.org>

Applicable laws:

Beer, wine and alcoholic liquors are governed by SC Code of Laws Title 61, Chapters 2, 4, and 6, Title 12 Chapters 21 and 33, Title 20 Chapter 7, and Title 33 Chapter 42. Regulations can be found in Chapter 7 of the code of regulations. The SC Code of Laws and Regulations can be accessed over the web at <http://www.sctax.org>, <http://www.myscgov.com> or at your local public library.

GENERAL QUALIFICATIONS

A. Qualifications of applicants for all license types:

1. An applicant must be 21 years of age, be of good moral character, be a legal resident of the United States and be a legal resident of South Carolina for **30 days prior to submitting an application to this department.**
2. The applicant must be the owner of the business seeking the license and must not previously have had a license revoked.
3. All principals, officers, agents, and employees listed on the license must be over the age of 21 and be of good moral character. **A current criminal history background check of not more than 90 days old, on each principal, officer, and employee must accompany this application.**
4. You must obtain a sales tax retail license to conduct business and if charging admission you must obtain an admissions tax license. To obtain a retail license complete form SCTC-111 or visit our website and register online at DORBOS and pay a \$50 license fee. An admissions tax license may be obtained by completing form L-514 which can also be found on our website. There is no charge for this license. If completing SCTC-111 and/or L-514 you may attach it to this application with the fee or you may mail it to the address on the respective forms.
5. Please check with the city and/or county authorities to insure you are in compliance with zoning laws and local business license requirements.

B. Tax liabilities:

A license or permit cannot be issued if the applicant or any principal has any outstanding tax liabilities with the SC Department of Revenue.

C. Sign posting:

1. An agent of the S.C. State Law Enforcement Division must post and remove a sign at the proposed place of business.
2. This sign must remain posted for at least fifteen days, and may be removed only by the SLED agent. If the sign disappears before the SLED Agent removes it, contact the S.C. Department of Revenue or SLED immediately. Permits/Licenses will not be issued until the morning of the fourth day after the sign is taken down by Agent.

E. Newspaper advertisements:

1. A notice of application must be placed at least once a week for three consecutive weeks in a newspaper approved by the department for your area.
2. The notice must:
 - (a) be in the legal notices section of the newspaper or an equivalent section if the newspaper has no legal notices section;
 - (b) be in large type, covering a space of one column wide and at least two inches deep; and
 - (c) state the type of license applied for and the exact location of the proposed business. (An applicant applying for both a beer/wine permit and also an alcoholic liquor license may use the same advertisement for both if the department approves the advertisement.)
3. Your application may be filed immediately upon the placement of your ad.
4. With your application, you must:
 - (a) forward a receipt from the newspaper office showing that your ad is running.
 - (b) submit your affidavit of publication, furnished to you by the newspaper office.

SAMPLE ADVERTISEMENT

NOTICE OF APPLICATION

Notice is hereby given that _____ intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and _____ premises consumption of _____ at _____

(name of individual, partnership or corporation)

(on/off)

(Beer, Wine and/or liquor) (as applicable) (exact street address, including city)

To object to the issuance of this permit/license, written protest must be postmarked no later than

(16 days from the date of the publication of the first advertisement)

For a protest to be valid, it must be in writing, and should include the following information:

- (1) the name, address and telephone number of the person filing the protest;
- (2) the specific reasons why the application should be denied;
- (3) that the person protesting is willing to attend a hearing (if one is requested by the applicant);
- (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,
- (5) the name of the applicant and the address of the premises to be licensed.

Protests must be mailed to: S.C. Department of Revenue, ATTN: ABL, P.O. Box 125, Columbia, SC 29214; or faxed to: (803) 898-5899.

F. Finding the correct newspaper to publish your advertisement:

1. Refer to page 3 and find the county in which your business is located.
2. Next find the city or municipality in which you business is located. Place your advertisement in a newspaper listed under the city or municipality.
3. If you do not find the city or municipality in which your business is located, or if your business is not located in a city or municipality, **use one of the newspapers that is approved for the county in which the business is located.** County approved newspapers are the **first** newspapers listed under the **county's** name.

Orangeburg County

Times & Democrat

HOLLY HILL

Holly Hill Observer

NORTH

North Trade Journal

SANTEE

Santee Striper



If your business is located in Elloree, a municipality of Orangeburg County that is **not** listed under **Orangeburg County**, you would publish your advertisement in the *Times Democrat*.



If your business is located in Santee, a municipality that **is** listed under **Orangeburg County**, you would publish your advertisement in the *Santee Striper*.

Abbeville County

Press & Banner

Aiken CountyAiken Standard
The State
NORTH AUGUSTA
The Star**Allendale County**

People-Sentinel

Anderson CountyIndependent Mall
BELTON
News Chronicle
HONEA PATH
News Chronicle
WILLIAMSTON
The Journal**Bamberg County**

Advertiser-Herald

Barnwell County

People-Sentinel

Beaufort CountyBeaufort Gazette
Bluffton Today
Hilton Head News
Island Packet**Berkeley County**Berkeley Independent
Post & Courier
GOOSE CREEK
Goose Creek Gazette
HANAHAN
Hanahan News
NORTH CHARLESTON
North Charleston News**Calhoun County**

Calhoun Times

Charleston CountyPost & Courier
NORTH CHARLESTON
North Charleston News**Cherokee County**Spartanburg Herald
GAFFNEY
Cherokee Chronicle
Gaffney Ledger
BLACKSBURG
Blacksburg Times**Chester County**

News & Reporter

Chesterfield CountyCheraw Chronicle
JEFFERSON
Progressive Journal
MT. CROGHAN
Progressive Journal
PAGELAND
Progressive Journal**Clarendon County**Manning Times
The Item (Sumter)**Colleton County**Community Times Dispatch
Press & Standard**Darlington County**New & Press
HARTSVILLE
Hartsville Messenger**Dillon County**

The Dillon Herald

Dorchester CountyPost & Courier
ST GEORGE
Eagle-Record
SUMMERVILLE
Summerville Journal-Scene**Edgefield County**Citizen News
Edgefield Advertiser**Fairfield County**Herald-Independent
The State**Florence County**Morning News
News Journal
LAKE CITY
Lake City News & Post**Georgetown County**Georgetown Times
PAWLEYS ISLAND
Coastal Observer**Greenville County**Greenville News
Greenville Journal
GREER
Greer Citizen
SIMPSONVILLE
Tribune Times
TRAVELERS REST
Travelers Rest Monitor**Greenwood County**Index Journal
NINETY SIX
Star & Beacon
WARE SHOALS
Observer**Hampton County**

Hampton Guardian

Horry CountySun News
CONWAY
The Horry Independent
GARDEN CITY
Myrtle Beach Herald
LORIS
Loris Scene
MYRTLE BEACH
Myrtle Beach Herald
NORTH MYRTLE BEACH
North Myrtle Beach Times**Jasper County**

Jasper County Sun

Kershaw CountyChronicle Independent
The State**Lancaster County**Lancaster News
KERSHAW
Kershaw News-Era**Laurens County**The Advertiser
The Clinton Chronicle**Lee County**

Lee County Observer

Lexington CountyThe State
BATESBURG-LEESVILLE
Twin City News
CHAPIN
Chapin Times
Lake Murray News
IRMO
New Irmo News
LEXINGTON
Chronicle and Dispatch News
PROSPERITY
Chapin Times
ST ANDREWS
New Irmo News**McCormick County**

McCormick Messenger

Marion County

Marion Star/Mullins Enterprise

Marlboro County

Marlboro Herald

Newberry County

Newberry Observer

Oconee CountyThe Daily Journal
WALHALLA
Keowee Courier
WESTMINSTER
Westminster News**Orangeburg County**Times & Democrat
HOLLY HILL
Holly Hill Observer
NORTH
North Trade Journal
SANTEE
Santee Stripper**Pickens County**Pickens Sentinel
Greenville News
CLEMSON
The Messenger
EASLEY
Easley Progress
LIBERTY
Easley Progress**Richland County**The State
Star Reporter
BLYTHEWOOD
The Country Chronicle
IRMO
New Irmo News**Saluda County**

Standard-Sentinel

Spartanburg CountyHerald-Journal
BLACKSBURG
Blacksburg Times
BOILING SPRINGS
Boiling Springs Sentry
CHESNEE
Chesnee Tribune
COWPENS
Cowpens-Pacelot Tribune
INMAN
The Inman Times
LANDRUM
New Leader
LYMAN
The Middle Tyger Times
WOODRUFF
Woodruff News**Sumter County**

The Item

Union County

Union Daily Times

Williamsburg CountyThe News
HEMINGWAY
The Weekly Observer**York County**Herald
CLOVER
Clover Herald
Yorkville Enquirer
FORT MILL
Fort Mill Times
YORK
Clover Herald
Yorkville Enquirer

PERMITS AND LICENSE TYPES

G. Explanation of types of license and/or permit:

1. **Off-premises beer and wine permits:**
Authorize the sale of beer and wine "to go" only.
2. **On-premises beer and wine permits:**
Authorize the sale of beer and wine "to go" and also authorize consumption on the licensed premises.
3. **7-day beer and wine permits:**
Authorize the sale of beer "to go" only, 7 days a week, with no restrictions on hours of sale and only issued in counties or municipalities that have passed a referendum allowing Sunday sale of beer.
4. **Brewpub permits:**
Authorize the sale of beer and wine, the manufacture of beer, and the consumption of these products on the permitted premises.
5. **Sunday/Sabbath beer and wine permits:**
Authorize the sale and consumption of beer and wine on Sunday if you close your business on Saturday for religious purposes. These permits are only issued in counties or municipalities that have passed a referendum allowing Sunday sale of beer.
6. **Business minibottle licenses:**
Authorize the sale and consumption of alcoholic liquors on the licensed premises. These licenses are issued to **Restaurants** and **Hotels** and **Motels ONLY**.
7. **Nonprofit private club minibottle licenses:**
Authorize the sale and consumption of alcoholic liquors on the licensed premises. These licenses are issued **ONLY** to nonprofit organizations chartered by SC Secretary of State Office.
8. **Retail liquor licenses:**
Authorize the sale of liquor "to go" only. These licenses are issued to retail locations for the sale of alcoholic liquors and/or wines containing up to 21% alcohol by volume.
9. **Alcoholic liquors cooking licenses:**
Authorize the holder to use alcoholic liquors and liquors in bottles larger than two ounces for cooking purposes only. A valid minibottle license must be held to qualify for this license.
10. **120 day temporary nonprofit or business (restaurant/hotel/motel) minibottle license:**
Authorizes a person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells minibottles from a holder of a retail license to sell minibottles at the business, upon initiating the application process to be issued a temporary minibottle license.
11. **120 day temporary retail liquor license:**
Authorizes a person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business, which sells liquor from a holder of a retail license to sell liquor at the business, upon initiating the application process to be issued a temporary liquor license.
12. **Local Option Permit:**
Only available to food establishments and places of lodging that have a minibottle license. Permits are only available in those counties and municipalities where a majority of the qualified electors have approved them in a referendum vote.

BEER AND WINE PERMITS

H. On or off-premises beer and wine permit requirements:

1. On or off-premises beer and wine three tier rule: No person, partner or member may have any financial interest of any kind in any other tier of the beer, wine, or alcoholic beverage industry. For example, the applicant, partnership or L.L.P. seeking a retail beer and wine permit must not have a financial interest of any kind in a beer and wine wholesale business or a brewery.
2. On-premises permits require the location to have functioning restrooms available for use by customers.

I. Special seven day permit requirements:

1. In counties and municipalities where the public has approved by referendum, retailers may apply for a special permit that allows for the sale of beer and wine seven days a week, 24 hours a day for off premises consumption.
2. The cost of this biennial permit is \$2200.00.
3. These permits are available in the following jurisdictions: Beaufort, Charleston, and Horry Counties and the municipalities of Bluffton, Edisto Beach, Hilton Head Island, Port Royal, and Yemassee.

J. Brewpub permit requirements:

1. Must be a tavern, public house, restaurant, or hotel that produces on the permitted premises a maximum of two thousand barrels a year of beer for sale on the premises (see Code Section 61-4-1740 for restrictions).
2. Must meet Department of Health and Environmental Control rules for eating/drinking establishments (see Code Section 61-4-1750).
3. Once registered you will be liable for S.C. beer excise tax on all beer produced. DOR will mail you a monthly excise tax return (L-600) to remit your payment. Beer is taxed at the rate of .006 cents per ounce. For more info on this tax please call 803-898-5743.

K. Sunday/Sabbath Beer and Wine Permit:

This permit authorizes the sale and consumption of beer and wine on Sunday if you close your business on Saturday for religious purposes. These permits are issued in counties or municipalities that have passed a referendum allowing Sunday sale of beer. If you operate on Saturdays while holding this permit, the Department will revoke your permit to sell beer and wine (see Code Section 61-4-620).

LIQUOR LICENSES

L. General Location Requirements for Business minibottle, Nonprofit private club minibottle, and Retail liquor store:

1. Your business must be at least 300 feet from a church, school or playground if the church, school, or playground is located in a city.
2. Your business must be at least 500 feet from a church, school, or playground if the church, school, or playground is located in a county.
3. These requirements do not apply if the establishment or location was established prior to November 7, 1962 or if you are acquiring a business that is currently licensed to sell alcohol. ABL regulation 7-303 establishes how this measurement is conducted.

M. Business restaurant minibottle requirements:

1. Your business must be primarily and substantially engaged in the preparation and serving of meals.
2. Your business must have seating for at least 40 people simultaneously at tables for the service of meals each day it is open for business and available in all types of weather.
3. Your business must have a kitchen that is in a separate area of the business and that is used solely for the preparation and serving of solid foods that make up meals.
4. Your kitchen must have a working fixed grill, stove, or microwave oven.
5. You must have a functioning cold storage unit with a minimum of 21 cubic feet capacity.
6. You must have a menu or sign listing the meals offered at your place of business.
7. There must be adequate food on the premises of your business to serve 40 people a hot meal. (Prepackaged single portions foods prepared off the premises will not count as adequate food.)
8. You must have (or plan to have by the time you open for business) hot meals during normal "mealtimes" which occur when your business plans to be open to the public.
9. The bar area used for storing and dispensing minibottles must be lighted (or planned to be lighted by time you open for business) so that customers have a clear view of all activities taking place in the bar area.
10. Your place of business must have a Grade A Restaurant License issued by the Health Department.
Before your minibottle license can be issued, you must furnish to the Department a copy of the inspection form given to you by the Health Department showing that the Grade A Restaurant License has been issued.
11. You must have functioning restrooms available for use by customers.

N. Business hotel/motel minibottle requirements:

1. Your business must rent accommodations for lodging to the public on a regular basis consisting of at least twenty rooms.
2. The bar area used for storing and dispensing minibottles must be lighted (or planned to be lighted by time you open for business) so that customers have a clear view of all activities taking place in the bar area.
3. Sales and consumption are restricted to the interior of the building and do not extend to the parking area even if food is served in these areas.

O. Nonprofit organizations (private clubs) minibottle requirements:

1. The premises to be licensed must not be open to the general public and must have limited membership.
2. The premises to be licensed must be located in a place separate and distinct from the premises of any business establishment. (This means that the location must have a separate address, separate entrance, and cannot be connected by common doors or passageways with any business premises.)
3. The club's by-laws must have a fixed method of electing persons on an individual basis to the membership in the organization.
4. The method of electing members must bear some reasonable relationship to the object and purpose of your organization.
5. The club's by-laws must require that upon dissolution of the organization, its residual assets must not inure to the direct benefit of any member, but must be turned over to a nonprofit organization, which is organized and operated for charitable purposes.
6. Your organization's by-laws, charter, or constitution must require that it be operated solely and exclusively for social, benevolent, patriotic, recreational, or fraternal purposes. You must attach a copy of your club's by-laws, a certified copy of the organization's charter, articles of incorporation, or constitution.
7. The bar area used for storing and dispensing minibottles must be lighted (or planned to be lighted by time you open for business) so that members have a clear view of all activities taking place in the bar area.
8. You must have functioning restrooms available for use by members.

P. Retail liquor store:

1. No more than three retail dealer licenses may be issued to one licensee. No more than three retail dealer licenses may be issued for the use of one corporation, association, partnership, or limited partnership. A corporation having the use of a retail dealer license that is owned by another corporation is considered to be holding the retail dealer license for the use of the owning corporation. In addition no person, directly or indirectly, individually or as a member of a partnership or an association, as a member or stockholder of a corporation, or a relative to a person by blood or marriage within the second degree, may have any interest in more than three retail liquor stores licensed.
2. A retail dealer must maintain a separate store or place of business with not more than two means of public ingress or egress which must be on the front or the same side of the building, except that the doors may be located at the corner of two adjacent sides of the building. One additional door, not in the front, is allowed if used solely for the receipt of commercial deliveries or an emergency exit.
3. Non-alcoholic merchandise is prohibited except as described in code section 61-6-1540.

120 DAY TEMPORARY LICENSES

Q. 120 day temporary beer & wine permits:

1. The existing business must have a biennial permit/license that has not expired, been suspended or revoked.
2. A \$25 fee is required for each temporary permit requested.
3. Attach a copy of the bill of sale, lease, probate document, divorce decree, or eviction order, or document showing how the business was acquired.
4. Must attach the existing original permit/license.
5. Be sure to include your Sales Tax License Number on your ABL-901 application, page 1, #10.

R. 120 day temporary business (restaurant/hotel/motel) minibottle license requirements:

1. The existing business must have a biennial permit/license that has not expired, been suspended or revoked.
2. A \$25 fee is required for each temporary permit requested.
3. Must attach a copy of the bill of sale, lease, probate document, divorce decree, or eviction order, or document showing how the business was acquired.
4. Must attach the existing original permit/license.
5. Must attach a current Grade A health rating.
6. Be sure to include your Sales Tax License Number on your ABL-901 application, page 1, #10.

S. 120 day temporary Nonprofit/private club minibottle license requirements:

1. The existing business must have a biennial permit/license that has not expired, been suspended or revoked.
2. A \$25 fee is required for each temporary permit requested.
3. Attach a copy of the bill of sale, lease, probate document, divorce decree, or eviction order, or document showing how the business was acquired.
4. Must attach the existing original permit/license.
5. Must submit a copy of organizational by-laws.
6. Be sure to include your Sales Tax License Number on your ABL-901 application, page 1, #10.

T. 120 day temporary retail liquor license requirements:

1. The existing business must have a biennial permit/license that has not expired, been suspended or revoked.
2. A \$25 fee is required for each temporary permit requested.
3. Attach a copy of the bill of sale, lease, probate document, divorce decree, or eviction order, or document showing how the business was acquired.
4. Must attach the existing original permit/license.
5. Be sure to include your Sales Tax License Number on your ABL-901 application, page 1, #10.

U. Local Option Permits:

1. May only be issued to licensed minibottle businesses, which qualify as a food service establishment or a place of lodging. See Code sections 61-6-20(2) & 61-6-20(4).
2. These businesses must be located in counties or municipalities where a majority of the voters have approved the sale of alcoholic liquors in minibottles on Sundays by a referendum vote.
3. A twenty-four hour permit may be obtained for a fee of \$200. To apply for local option permits complete form ABL-29.
4. An annual fifty-two week permit may be obtained for a nonrefundable fee of \$3050. To apply for a fifty-two week permit complete form ABL-29A.
5. Pursuant to S.C Code section 61-6-2010, the optional 52 week permit must not extend beyond the expiration date of the biennial license issued. If the expiration date is less than 52 weeks from the date of the application for the annual permit, the department will prorate the \$3050.00 fee on a monthly basis.

HOURS OF SALE

V. Nonprofit Organizations (Private Clubs):

1. These locations may sell, and members and guests of members may consume, liquor on these premises between the hours of 10:00 a.m. and 2:00 a.m. seven days a week. See Code Section 61-6-1610. For more information on private clubs, see SC Regulation 7-401.

W. Food Service Establishments and Places of Lodging

1. These locations may sell, and patrons may consume, liquor on these premises between the hours of 10:00 a.m. and 2:00 a.m. the following morning, except between midnight Saturday night and midnight Sunday night.

2. Locations holding a business sale and consumption license: may sell and patrons may consume liquor during the following hours:

10:00am	Mon.	until	2:00am	Tues.	morning
10:00am	Tues.	until	2:00am	Wed.	morning
10:00am	Wed.	until	2:00am	Thurs.	morning
10:00am	Thurs.	until	2:00am	Fri.	morning
10:00am	Fri.	until	2:00am	Sat.	morning
10:00am	Sat.	until	12:00am	Sun.	morning
12:01am	Mon.	until	2:00am	Mon.	morning

X. Locations with a Local Option Permit:

1. These locations may sell and patrons may consume liquor on these premises between 10:00 am and 2:00 am the following morning.
2. Locations with a local option permit may sell and patrons may consume liquor during the following hours:

10:00am	Mon.	until	2:00am	Tues.	morning
10:00am	Tues.	until	2:00am	Wed.	morning
10:00am	Wed.	until	2:00am	Thurs.	morning
10:00am	Thurs.	until	2:00am	Fri.	morning
10:00am	Fri.	until	2:00am	Sat.	morning
10:00am	Sat.	until	2:00am	Sun.	morning
10:00am	Sun.	until	2:00am	Mon.	morning

Y. Locations Licensed for On-Premises Consumption of Beer or Wine (NOTE: Cities and Counties may restrict hours of sales)

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

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

2. **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 in Z (1), 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).

Z. Retail: Locations licensed for off-premises consumption: (NOTE: Cities and Counties may restrict hours of sales)

1. **Sale of beer and wine for off premises consumption:**

Locations may sell beer and wine 24 hours a day, except between the hours of 12:00AM Saturday night and sunrise Monday morning.

2. **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.)

AA. Application Process

1. Department of Revenue receives application.
2. Normal processing time of a non-protested application is six to eight weeks.
3. Department of Revenue forwards application information to the State Law Enforcement Division (SLED) for investigation.
4. A SLED agent will contact you to set up an appointment.

WHAT YOU NEED FOR THE SLED APPOINTMENT/CONTACT

5. **WHO MUST MEET WITH THE AGENT?** If you have applied as a **sole proprietor** or as a **partnership**, you or one of your partners, as a **corporation**, someone with knowledge about the corporation, as a nonprofit organization an officer of the organization.

6. Information and documentation to bring to the meeting:
 - (a) You, all partners, corporate officers, non-profit organization officers and/or directors are 21 years of age; You, one partner of a partnership, or the designated agent of a corporation or non-profit organization is
 - (b) legal resident of the U.S., have been a S.C. resident and have maintained your principle place of abode in S.C. for at least 30 days. A S.C. driver's license is adequate to prove residence. If you do not have a S.C. driver's license, you will need to bring other documentation);
7. If you have applied as a **corporation** and if the corporation is not publicly traded, this person should have with them documentation to show the officers of the corporation and the stockholders of the corporation. This information should include how many shares each stockholder owns. The corporate stock book will provided this information. If that book is not available, you can furnish a letter from the corporate attorney listing the officers, stockholders, and numbers of shares owned by each stockholder.
8. If you applied as a **nonprofit organization** you will need to have available for inspection the minutes of the meeting of the organization for the past year, and a list of the members of the organization showing the date they applied for membership, the acceptance date of membership, the date fees and dues were paid by each member, the amount paid, and the mailing address of each member.
9. **Proof of ownership /acquisition of business: A copy of the bill of sale, lease, probate document, divorce decree, eviction order, or other documentation. The bill of sale or lease must be in the name of the applicant.**
10. **If you fail to bring the required documentation to the meeting with the agent, it will delay your application, and you will be required to furnish this documentation to the Department of Revenue at its Columbia office before your license or permit can be issued.**
11. After your meeting, the agent will post a sign at your place of business informing the public of your application. This sign must remain posted for at least fifteen days, and must be removed only by the SLED agent.
12. If we receive a protest to your application from a member of the public or from law enforcement, your permit or license cannot be issued until a public hearing is held before the Administrative Law Court. If a protest is received you will be informed and will be given additional information at that time.

BB. Protests

1. Any person residing in the county where a beer, wine or minibottle license is being sought, or any person residing within five miles of the location, may protest the issuance of the license.
2. A protest will delay an application as a contested case hearing must be held before the Administrative Law Court (ALC). It may take two to six months for a hearing to be held from the time the file is transmitted to the ALC by the Department of Revenue.
3. Files cannot be transmitted to the ALC until the application file and the SLED investigation is complete and the **applicant** has requested a hearing. If a hearing is not requested by the applicant the license or permit is denied.
4. Once the Department has transmitted an application to the Administrative Law Court, a hearing will be scheduled.
5. Once this has been done, all requests for information and all motions must be filed with the Administrative Law Court, P.O. Box 11667, Columbia, SC 29211-1667. The telephone number of the Administrative Law Court is (803) 734-0550