



## SECTION 61-4-747

- (A) Notwithstanding any other provision of law, rule, or regulation to the contrary, a manufacturer of wine located within this State or outside this State that holds a wine producer and blenders basic permit issued in accordance with the Federal Alcohol Administration Act and obtains an out-of state shipper's license, as provided in this section, may ship up to twenty-four bottles of wine each month directly to a resident of this State who is at least twenty-one years of age for such resident's personal use and not for resale.
- (B) Before sending a shipment to a resident of this State, an out-of state shipper first shall:
- (1) File an application with the Department of Revenue;
  - (2) Pay a biennial license fee of six hundred dollars;
  - (3) Provide to the department a true copy of its current wine producer and blenders basic permit issued in accordance with the Federal Alcohol Administration Act; and
  - (4) Obtain from the department an out-of state shipper's license.
- (C) Each out-of-state shipper licensee shall:
- (1) Not ship more than twenty-four bottles of wine each month to a person;
  - (2) Ensure that all containers of wine shipped directly to a resident in this State are labeled conspicuously with the words 'CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY';
  - (3) Report to the department annually, by January twentieth of each year, the total amount of wine shipped into the State the preceding year;
  - (4) Annually, by January twentieth of each year, pay to the department all sales taxes and excise taxes due on sales to residents of this State in the preceding calendar year, the amount of the taxes to be calculated as if the sale were in this State at the location where delivery is made;
  - (5) Permit the department to perform an audit of the out-of-state shipper's records upon request; and
  - (6) Be deemed to have consented to the jurisdiction of the department or another state agency and the courts of this State concerning enforcement of this section and any related laws.
- (D) The out-of-state shipper on August thirty-first of each applicable year must renew its license with the department by paying a renewal fee of six hundred dollars and providing the department a true copy of its current alcoholic beverage license issued in another state.
- (E) The department may promulgate regulations to effectuate the purposes of this section.
- (F) The department shall enforce the requirements of this section by administrative proceedings to suspend or revoke an out-of-state shipper's license if the licensee fails to comply with the requirements of this section, and the department may accept payment of an offer in compromise instead of suspension.
- (G) (1) A shipment of wine from out-of-state direct to consumers in the State from persons who do not possess a current out-of-state shipper's license is prohibited. A person who knowingly makes, participates in, transports, imports, or receives such a shipment from out-of-state is guilty of a misdemeanor and, upon conviction, must be fined one hundred dollars. A shipment of wine which violates any provision of this item is contraband.
- (2) Without limitation on any punishment or remedy, criminal or civil, a person who knowingly makes, participates in, transports, imports, or receives a shipment as provided in item (1) of this subsection from out-of-state commits an unfair trade practice.

## Social Security Privacy Act Disclosure

It is mandatory that you provide your social security number on this 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. SC Regulation 117-1 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.