

# ABL 902 Checklist:

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

## **ABL 902 Checklist:**

- 1. Completed application, signed, dated and notarized.
- 2. Submit nonrefundable filing fees, if applicable.
- 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.
- 4. Must complete the "Consent and Waiver" on page 3 of the application.
- 5. Must attach a copy of Articles of incorporation if applying for a nonprofit private club.
- 6. Must attach a copy of bylaws if applying for nonprofit private club.
- 7. Must attach a criminal records check on all principals. If any principals are nonresidents of SC, you must attach a current criminal history background check obtained from the state of 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](http://www.sled.state.sc.us); or at SLED Headquarters, 4400 Broad River Rd, PO Box 21398, Columbia, SC 29221.
- 8. Submit a copy of your lease. If you own the property you must submit a copy of the deed or tax bill.

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

- a. \$25 for each temporary permit requested.
- b. 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 and **not** currently licensed at another location, a current SLED criminal history background check is required on the applicant. If applying as a corporation, partnership, limited liability company or limited partnership and **not** currently licensed at another location, a current SLED criminal history background check is required on each principal.
- d. Must attach the existing permit/license.



STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE  
**APPLICATION FOR IN-STATE BREWERY, WINERY, LIQUOR  
MANUFACTURER, BEER/WINE AND/OR LIQUOR WHOLESALER**

**ABL-902**

(Rev. 9/3/03)  
4309

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"/> Brewery or winery	\$ -0-	\$ 400.00 biennially
<input type="checkbox"/> Wholesale beer and/or wine	\$ 300.00	\$ 2,200.00 biennially
<input type="checkbox"/> Liquor manufacturer	\$ 200.00	\$ 50,200.00 biennially
<input type="checkbox"/> Wholesale liquor	\$ 200.00	\$ 20,200.00 biennially

PLEASE PRINT OR TYPE ALL INFORMATION			
<b>1. OWNER, PARTNERSHIP, OR CORPORATE CHARTER NAME</b>  <hr/>	<b>5. TRADE NAME (DOING BUSINESS AS)</b>  <hr/>		
<b>2. PHYSICAL LOCATION OF BUSINESS REQUIRED (NO P.O. BOX)</b>  <hr/> <p style="text-align: center;">STREET</p> <hr/> <p>CITY                      COUNTY (REQUIRED)                      STATE                      ZIP</p>	<b>6. BUSINESS PHONE NUMBER</b>		<b>DAYTIME PHONE NUMBER</b>
<b>3. MAILING ADDRESS (FOR ALL CORRESPONDENCE)</b>  <hr/> <p style="text-align: center;">IN CARE OF</p> <hr/> <p style="text-align: center;">STREET</p> <hr/> <p>CITY                      COUNTY                      STATE                      ZIP</p>	<b>7. FEDERAL IDENTIFICATION NUMBER AND/OR SOCIAL SECURITY NO.</b>  <hr/>		
<b>4. TYPE OF OWNERSHIP</b> <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 OF CERTIFICATE OF AUTHORITY). <input type="checkbox"/> NON-PROFIT ORGANIZATION <input type="checkbox"/> OTHER (EXPLAIN) _____	<b>8. NATURE OF BUSINESS</b>  <hr/>		
<b>9. LOCATION OF RECORDS (NO P.O. BOX)</b>  <hr/>			

**COMPLETE REVERSE SIDE OF THIS FORM**



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 or to the I.R.S. By signing below, a person authorizes the I.R.S. to release to the S.C. Department of Revenue information concerning that person owing delinquent taxes, penalties, or interest as of the date of the signing of this document, plus the next five years. This consent may be withdrawn at any time by writing to the Internal Revenue Service Disclosure Officer, 1835 Assembly Street, MDP15, Columbia, SC 29201. The signature below also 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.

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/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? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details in Schedule A.	
Have you been convicted of a crime in South Carolina or any other state? <input type="checkbox"/> Yes <input type="checkbox"/> 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/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? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details in Schedule A.	
Have you been convicted of a crime in South Carolina or any other state? <input type="checkbox"/> Yes <input type="checkbox"/> 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/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/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/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/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



# GENERAL INFORMATION FOR BEER, WINE, AND ALCOHOL LIQUOR APPLICATIONS

(Rev.8/28/03)

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 public hearing to be held and a decision made on the application.

These instructions provide certain information concerning restrictions for each license. These do not constitute all restrictions established by law. Please read the laws and regulations carefully.

## 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 alcohol 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 on each nonresident principal, officer, and employee must accompany this application.**
4. 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, any principal, officer or designated employee listed on the application has any outstanding tax liabilities with the SC Department of Revenue or the Internal Revenue Service.

### 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 immediately. Permits/Licenses will not be issued until the morning of the fourth day after the sign is taken down by Agent.

### D. Beer and wine three tier system:

All applicants and/or principals must comply with South Carolina's beer and wine three tier system. The three tier system regulates certain practices between manufacturers, importers, wholesalers, and retailers. The three tier system consists of three distinct levels of operation. The first level consists of producers and importers (breweries and wineries). The second level consists of wholesalers. The third level consists of retailers. With limited exceptions, S.C. law prohibits any applicant and/or principals from operating and/or having any ownership or financial interest on more than one tier. See code sections 61-4-735 & 61-4-940.

**E. Newspaper advertisements:**

1. A notice of application must be placed at least once a week for three consecutive weeks in a newspaper circulated nearest to the proposed location of the business and most likely to give notice to interested citizens of the county, city, and community in which the applicant proposes to engage in business.
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 permit and/or 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.

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**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 \_\_\_\_\_ at \_\_\_\_\_

(name of individual, partnership or corporation)  
(Brewery, Winery, Liquor Manufacturer and/or Wholesaler)  
(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.

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**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 your 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 County**  
Aiken Standard  
The Columbia Star  
The State  
*NORTH AUGUSTA*  
The Star

**Allendale County**  
Citizen Leaders

**Anderson County**  
Independent Mall  
The Anderson Monitor  
*WILLIAMSTON*  
Journal  
*HONEA PATH/BELTON*  
News Chronicle

**Bamberg County**  
Advertiser-Herald

**Barnwell County**  
People-Sentinel

**Beaufort County**  
Beaufort Gazette  
Hilton Head News  
Island Packet  
Carolina Morning News

**Berkeley County**  
Berkeley Independent  
Post & Courier  
*HANAHAN*  
Hanahan News  
*GOOSE CREEK*  
Goose Creek Gazette

**Calhoun County**  
Calhoun Times

**Charleston County**  
Hanahan News  
Post & Courier  
North Charleston News

**Cherokee County**  
Spartanburg Herald  
*GAFFNEY*  
Cherokee Chronicle  
Gaffney Ledger  
*BLACKSBURG*  
Blacksburg Times

**Chester County**  
News & Reporter

**Chesterfield County**  
Cheraw Chronicle  
*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 County**  
Post & 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 Journal  
Greenville News  
*GREER*  
Greer Citizen  
*TRAVELERS REST*  
Travelers Rest Monitor  
*SIMPSONVILLE*  
Tribune Times

**Greenwood County**  
Index Journal  
*NINETY SIX*  
Star & Beacon  
*WARE SHOALS*  
Observer

**Hampton County**  
Hampton Guardian

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

**Jasper County**  
Jasper County Sun

**Kershaw County**  
The State  
*CAMDEN*  
Chronicle Independent  
*KERSHAW*  
Kershaw News-Era

**Lancaster County**  
Lancaster News

**Laurens County**  
The Advertiser  
The Clinton Chronicle

**Lee County**  
Lee County Observer

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

**McCormick County**  
McCormick Messenger

**Marion County**  
Marion Star/Mullins Enterprise

**Marlboro County**  
Marlboro Herald

**Newberry County**  
Newberry Observer

**Oconee County**  
Journal-Tribune  
*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*  
Liberty Monitor

**Richland County**  
The State  
Star Reporter  
*IRMO*  
New Irmo News

**Saluda County**  
Standard-Sentinel

**Spartanburg County**  
Herald-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 County**  
The News  
*HEMINGWAY*  
The Weekly Observer

**York County**  
Herald  
*CLOVER/YORK*  
Clover Herald  
Yorkville Enquirer  
*FORT MILL*  
Fort Mill Times

## **PERMITS/LICENSES**

### **A. INSTATE BREWERY AND/OR WINERY**

Brewery/Winery constructed, maintained and/or operated in this State for the production of any beer and/or wine.

### **B. BEER AND/OR WINE WHOLESALERS**

Any person who makes the first sale within this State or who sells or distributes any quantity of beer or wine to any other person for resale, but the term shall not include any person who produces wine in the State from fruits grown within the State by or for the manufacturer.

### **C. LIQUOR DISTILLERY (MANUFACTURER)**

An entity operating a plant or place of business in this State for distilling, rectifying, brewing, fermenting, blending, or bottling alcoholic liquors.

### **D. LIQUOR WHOLESALER**

An entity that purchases, acquires, or imports from outside this State or who purchases or acquires from manufacturer in the State alcoholic liquors for resale.

## **OTHER REQUIREMENTS**

### **A. ALL WHOLESALERS**

Beer, Wine and/or Alcoholic Liquors Wholesalers must make a report to the Department, in the form the Department prescribes, of all beer, wine and/or alcoholic liquors sold or disposed of within this State by the wholesaler and to pay the tax due thereon not later than the twentieth of the month following the sale of the beer, wine and/or alcoholic liquors.