

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

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?

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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?

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City _____ State _____ Zip _____

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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.6/2/04)

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.

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.

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

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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 State
NORTH AUGUSTA
The Star

Allendale County
Citizen Leaders

Anderson County
Independent Mall
WILLIAMSTON
The 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
NORTH CHARLESTON
North Charleston News

Calhoun County
Calhoun Times

Charleston County
Post & Courier
NORTH CHARLESTON
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 News
Greenville Journal
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
Chronicle Independent

Lancaster County
Lancaster News
KERSHAW
Kershaw News-Era

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
The Daily Journal
WALHALLA
Keowee Courier
WESTMINSTER
Westminster News

Orangeburg County
Times & Democrat
HOLLY HILL
Holly Hill Observer
NORTH
North Trade Journal
SANTEE
Santee Striper

Pickens County
Pickens Sentinel
Greenville News
CLEMSON
The Messenger
EASLEY/LIBERTY
Easley Progress

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.