

**Ken Allen, Attorney's**  
**3rd Quarter SC Alcohol Licensing Newsletter**  
*We focus on your licenses so you can focus on your business.*



#### **LEGISLATIVE UPDATE**

- In order to be licensed or re-new their licenses, liquor stores must now certify to DOR that they have not, and will not, purchase liquor from anyone who does not hold a SC liquor wholesaler's license. Retail stores are prohibited from selling to other retail stores. Signage required.
- Liquor stores may now redeem discount coupons so long as the cost is borne by the retailer and they are not prohibited by federal law.
- It is no longer illegal for liquor stores to sell on election days. In addition to being closed on Sundays, they now must be closed on Christmas day.
- Under certain conditions breweries are now permitted to sell beer for on-premise consumption in their dining areas.
- Powdered alcohol was outlawed. Its use by a licensee is both a crime and a violation against their alcohol license.

- Liquor-by-the-drink licenses may now be issued within 300 ft of a church or playground in a city and 500 ft in a county provided the church or playground “affirmatively states” that it does not object to the application.
- If you have a concealed weapons permit you may carry the weapon into an on-premise consumption location, but you cannot drink alcohol while there.
- The bill to increase the number of liquor stores one can own from 3 stores to 10 did not make it out of committee.

Details on the new laws may be found [“here”](#). Search under Subject/Alcohol and Alcoholic Beverages.

### **Enforcement Update & Misc.**

The DOR has persuaded an Admin. Law Judge to REVOKE the license of one liquor retailer for a 4<sup>th</sup> offense bad check to a wholesaler. The case is on appeal.

All alcohol licenses in Richland County have to be renewed by the end of August.

### **Excise Tax Audits**

Clients report continuing “liquor by the drink” excise tax audits.

Apparently the auditors look at the number of ounces of liquor purchased, less what is in inventory, and multiply that times the average drink price, then multiply that by 5% to come up with what should have been paid.

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