

SC INFORMATION LETTER 04-8

SUBJECT: Recognized Training Programs
(Alcoholic Beverage Licensing)

DATE: April 8, 2004

SUPERSEDES: SC Information Letter #03-27 and all previous documents and any oral directives in conflict herewith.

AUTHORITY: S. C. Code Ann. Section 12-4-320 (2000)
SC Revenue Procedure #03-1

SCOPE: An Information Letter is a written statement issued to the public by the Department to announce general information useful in complying with the laws administered by the Department. **An Information Letter has no precedential value, and is not binding on the public or the Department.**

Introduction:

SC Revenue Procedure #03-4 is an advisory opinion providing guidelines to be used by Department employees in assessing penalties for violations of the statutes and regulations governing the sale, distribution, or possession of beer, wine, and distilled spirits. Its purpose is to insure uniform penalty application.

These guidelines recognize that there will often be circumstances present that call for either more severe or less severe sanctions for an offense. As such, the guidelines state that the Department will consider mitigating circumstances when assessing penalties and that if recognized mitigating circumstances are present, monetary penalties will be reduced, suspensions will be reduced in duration, and revocations will be reduced to suspensions with monetary penalties.

As stated in the guidelines, mitigating circumstances will be recognized when the employee committing the violation has completed a training program recognized by the Department.

Recognized Training Programs:

The Department recognizes the training program given by the State Law Enforcement Division (“SLED”). To schedule SLED training, call (803) 896-2631. As of the date of this information letter, the Department also recognizes the following programs for purposes of mitigating circumstances when the employee committing the violation has completed a recognized training program:

1. Training for Intervention Procedures (“TIPS”) - a training program of Health Communications Inc.
2. BarCode, Serving Alcohol Responsibly - a training program of the National Restaurant Association Educational Foundation
3. Techniques on Alcohol Standards and Training (“TOAST”) – a training program of Circle Park Behavioral Health Services

Please note that the training must have taken place within a reasonable period of time prior to the offense and must include training covering the violation at hand. The person claiming mitigating circumstances under this item must also provide the Department verification that the employee attended the training and an outline of the training conducted.

The determination as to whether mitigating circumstances warrant the reduction in penalties is within the sole discretion of the Department.

Other Training Programs:

Trade associations and other organizations seeking to have a training program recognized by the Department should send the request along with a detailed description of the training program to:

SC Department of Revenue
Regulatory Division Administrator
P.O. Box 125
Columbia, SC, 29214