

SC INFORMATION LETTER 11-2

SUBJECT: Temporary Beer and Wine Permits for Special Events—Revisions
Effective January 27, 2011 (Alcoholic Beverage Licensing)

EFFECTIVE DATE: January 27, 2011

SUPERCEDES: S.C. Information Letter #10-13 and all previous documents and any
directives in conflict herewith.

REFERENCE: S.C. Code Ann. Section 61-4-550 (2009 and Supp. 2010)
Act No. 259, Section 1 (2010)
2011 House Bill 3278 (effective January 27, 2011)

AUTHORITY: S. C. Code Ann. Section 12-4-320 (2000)
SC Revenue Procedure #09-3

SCOPE: An Information Letter is a written statement issued to the public to
announce general information useful in complying with the laws
administered by the Department. An Information Letter has no
precedential value.

Code Section 61-4-550 authorizes the Department to issue temporary beer and wine permits to
certain nonprofit organizations for a period not exceeding 15 days for a fee of 10 dollars per day.
Such special permits are restricted to locations at fairs and special functions.

**Effective January 27, 2011, the provisions of Code Section 61-4-550 have been temporarily
modified to allow individuals and entities, including businesses as well as nonprofit
organizations, to obtain temporary beer and wine permits for locations at fairs and special
functions. All applicants must meet the remaining requirements of Code Section 61-4-550
and be otherwise qualified under Title 61.**

The remaining requirements of Code Section 61-4-550 are as follows:

Criminal records check required. With the initial application, the applicant must submit a
criminal records check conducted by the State Law Enforcement Division not more than 90 days
preceding the date of the application. Failure to comply will result in denial of the application.

If the applicant is a person other than an individual, a criminal records check of each principal is
required. "Principal" has the same meaning as in Code Section 61-2-100(H)(2). All principals
are deemed to be the applicant for this permit.

For a subsequent application, a new criminal records check is required only if (a) more than 2 years have elapsed since the most recent criminal records check was conducted or (b) the applicant has added or replaced a principal.

Notification of sheriff required. The applicant must give written notice to the sheriff or sheriff's designee in the county in which the fair or special event is to be held, a minimum of 15 days before the first day of the event, unless the sheriff waives the 15-day requirement. An objection by the sheriff or sheriff's designee within 72 hours of receipt of the notice, submitted in writing to the Department, is sufficient grounds to deny the application.

NOTE: This temporary modification to the provisions of Code Section 61-4-550, as amended by Act No. 259, Section 1 (2010), is authorized by 2011 House Bill 3278, a joint resolution that expires on June 30, 2011. The General Assembly is expected to consider permanent legislation concerning this matter.