



301 Gervais Street, P.O. Box 125, Columbia, South Carolina 29214

SC INFORMATION LETTER #94-30 (TAX)

SUBJECT: Advertising
(Video Game Machines Act)

DATE: October 21, 1994

SUPERSEDES: All previous documents and any oral directives in conflict herewith.

REFERENCE: S. C. Code Ann. Section 12-21-2804 (Supp. 1993)

AUTHORITY: S.C. Code Ann. Section 12-4-320 (Supp. 1993)
SC Revenue Procedure #94-1

SCOPE: An Information Letter is a document issued for the purpose of disseminating general information or information concerning an administrative pronouncement.

Information Letters issued to disseminate general information have no precedential value and do not represent the official position of the Department. Information Letters designated as administrative pronouncements are official advisory opinions of the Department.

Code Section 12-21-2804(B) reads:

No person who maintains a place or premises for the operation of machines licensed under Section 12-21-2720(A)(3) may advertise in any manner for the playing of the machines nor may a person offer or allow to be offered any special inducements to a person for the playing of machines permitted Section 12-21-2720(A)(3).

In a Commission Decision dated October 11, 1994, the Commissioners upheld a citation written against the licensee for violating the prohibition against advertising found in Code Section 12-21-2804(B), as cited above.

The licensee, XYZ¹ Casino, Inc., operates a business wherein video poker machines are located and played. In front of the licensee's business a large sign stated "XYZ CASINO" and a portable billboard stated "XYZ CASINO A LITTLE VEGAS IN SC".

Any persons who maintains a place or premises for the operation of video game machines and who advertises the playing of these machines by use of the word "casino" or any other words, phrases, or methods will be cited (if such citation has not already been issued) for a violation of Code Section 12-21-2804(B).

Under the provisions of Code Section 12-21-2804(F), any person violating the prohibition against advertisement for the playing of Class III machines is subject to a fine of up to \$5,000.

For questions concerning this matter, please contact your local Taxpayer Service Center as follows:

Aiken	(803) 641-7685	Greenville	(803) 241-1200
Beaufort	(803) 524-2852	Myrtle Beach	(803) 293-6550
Charleston	(803) 571-3000	Rock Hill	(803) 324-7641
Columbia	(803) 737-4602	Spartanburg	(803) 594-4900
Florence	(803) 661-4850		

¹The actual name of the licensee has not been used in order to protect the privacy of the licensee.