

**FREQUENTLY ASKED QUESTIONS ABOUT
ALCOHOL AND TOBACCO SALES LAWS**

At what age is it legal to purchase?

Alcohol	Tobacco
21	18

What is the first offense penalty for an underage person to purchase or possess?

Alcohol	Tobacco
A \$100-\$200 (up to \$465 including court cost), up to 30 days in jail. Suspension of driver's license for 120 days. Mandatory Alcohol Intervention Program.	\$25 (\$100 or more including court cost). The court may order the youth to do 5 hours of community service or attend a DHEC-approved tobacco education/cessation program.

Is it illegal for a youth to *attempt* to purchase?

Alcohol	Tobacco
Yes	Yes

Is there a license required to sell?

Alcohol	Tobacco
Yes	No

How old to you have to be to sell?

Alcohol	Tobacco
21 to work at a liquor store and to be a bartender. 18 to serve an opened drink. No age restriction to work at an off-premise (store) location.	No age restriction.

Who can be penalized if an establishment sells to an underage person?

Alcohol	Tobacco
The employee that made the sale. The license holder can also be cited for an administrative violation, but SLED has to be involved in that process.	The employee that made the sale only.

What is the penalty for a first sale or transfer offense?

Alcohol	Tobacco
A fine of \$200-\$300 (up to \$675 including court cost), up to 30 days in jail. Mandatory merchant education for sale.	The fine is \$100 (up to \$260 including court cost), but the court may order a DAODAS-approved merchant education program in lieu of the fine if it was a sale.

Who can conduct a compliance check?

Alcohol	Tobacco
SLED or any local law enforcement agency	SLED or any local law enforcement agency

When is it legal to sell?

Alcohol	Tobacco
Beer and wine can be sold 24 hours a day, except between midnight Saturday and sunrise Monday morning. Some counties or cities were allowed to vote to have extended sales hours.	No restrictions

Additional Alcohol Questions

Can alcohol be sold to an intoxicated person?

No.

Can establishments be held civilly liable for injuries sustained by customers?

Yes, the licensee and the employee making the sale could be liable.

Is it legal for an underage person to carry an alcoholic beverage within a store?

No. (Unless they are an employee and doing their job.)

Is there any special process for selling kegs?

As of 1/1/08, yes. Outlets must have buyers complete a form and place a tag with an identifier on the keg. This allows someone to trace the keg back to the purchaser. There is a steep fine and possible jail time if someone has an unregistered keg or removes/damages a tag.