



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

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SC INFORMATION LETTER #26-1 (Updated)

SUBJECT: Alcohol Server Training Programs—Penalty Mitigation
(Alcoholic Beverage Licensing)

DATE: January 16, 2026

SUPERSEDES: SC Information Letter #23-13 and all previous documents and any oral directives in conflict herewith.

AUTHORITY: S.C. Code Ann. Section 12-4-320 (2014)
S.C. Code Ann. Section 1-23-10(4) (2005)
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.

PURPOSE:

This Information Letter is an attempt to clarify the difference between alcohol server training programs now mandated under Bill Number H. 3430 and alcohol training programs used for penalty mitigation.

BACKGROUND:

For many years, the Department, with its authority to consider mitigating factors, has taken into account the completion of alcohol training programs when imposing penalties for alcohol violations. On May 12, 2025, Governor Henry McMaster signed Bill Number H. 3430 (the “Act”), effective January 1, 2026, which amends portions of the alcohol laws found in Title 61. Among these amendments to Title 61 includes a new chapter, Chapter 3, entitled “Alcohol Server Training.” This training is separate from the penalty mitigation training previously recognized by the Department.

The new Chapter 3, Title 61 mandates all alcohol servers¹ or managers² to complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of Chapter 3. Chapter 3 further provides that the Department “shall approve alcohol server training programs offered by providers that are based on best evidence practice standards.” S.C. Code Ann. § 61-3-120(A)(1). For the Department to approve a provider’s alcohol server training program, the program’s curriculum must contain the subjects set forth in Section 61-3-120.

In addition to the required alcohol server training for on-premises sales of alcohol, the Department will continue to recognize alcohol training programs for penalty mitigation purposes as described below. Vendors for both types of training will be listed separately on Department’s website and will be continually updated.

PENALTY MITIGATION:

The Department is authorized to consider mitigating circumstances when evaluating the appropriate penalty for a violation of the State’s statutes and regulations governing the sale, distribution, or possession of beer, wine, and/or alcoholic liquor.

However, in addition to the mandatory server training, the General Assembly implemented mandatory penalties against permittees and their respective agents for knowingly committing any of the prohibited acts listed in S.C. Code Ann. § 61-4-580.³ Accordingly, the Department no longer has discretion to consider mitigating circumstances when applying the mandatory penalties⁴ in Sections 61-4-580(B)(1) and (B)(3). However, Section 61-4-580(B)(2) allows the Department discretion to determine the proper suspension duration (up to fourteen days) for a second offense of Section 61-4-580(A) within two years of the first offense. As such, the Department may reduce a suspension for a second offense under Section 61-4-580(A) from the maximum fourteen days if the permittee presents mitigating circumstances, including training for penalty mitigation that is completed in addition to any mandatory training in accordance with Chapter 3.

¹ “‘Alcohol server’ means an individual who sells alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee.” S.C. Code Ann. § 61-3-100(2).

² “‘Manager’ means an individual permittee, an individual licensee, and any person employed by a permittee or licensee who manages, directs or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.” S.C. Code Ann. § 61-3-100(9).

³ The prohibited acts were previously listed in S.C. Code Ann. § 61-4-580. After the General Assembly’s addition of the mandatory penalties, found in the newly created S.C. Code Ann. § 61-4-580(B), the prohibited acts are now found in S.C. Code Ann. § 61-4-580(A).

⁴ The mandatory penalties in Section 61-4-580(B) only apply to holders of permits authorizing the sale of beer or wine.

Mitigating circumstances are circumstances that may warrant a less severe sanction than would otherwise be appropriate. If the permittee or licensee presents certain mitigating circumstances, the Department will consider whether to reduce monetary penalties, the lengths of suspensions, and whether revocations should be reduced to suspensions with monetary penalties.

When the violation involves the sale of beer, wine,⁵ or alcoholic liquor to an underage person, the Department will consider whether the employee committing the violation has completed a training program recognized by the Department for penalty mitigation within a reasonable period of time (but no longer than one year) prior to the violation. The Department must receive verification that the employee attended and completed the training for penalty mitigation and an outline of the training conducted, which must include training covering the prevention of underage sales.

For the Department to consider the employee's attendance and completion of training for penalty mitigation as a mitigating circumstance, the training would have to be in addition to the alcohol server training mandated to all on-premise licensees and permittees in Chapter 3, Title 61.

For the most up-to-date information on training programs recognized by the Department for purpose of mitigating penalties, please visit the Department's Alcohol Beverage Licensing website at <https://dor.sc.gov/index.php/alcohol-beverage-licensing-abl/recognized-training-programs>.

⁵ If the violation involves the sale of beer or wine, the Department must issue the mandatory penalties provided in Section 61-4-580(B), with the exception of second offenses of Section 61-4-580(A), where, as described herein, the Department may consider mitigating circumstances to determine a proper suspension duration.