

State Report

South Carolina

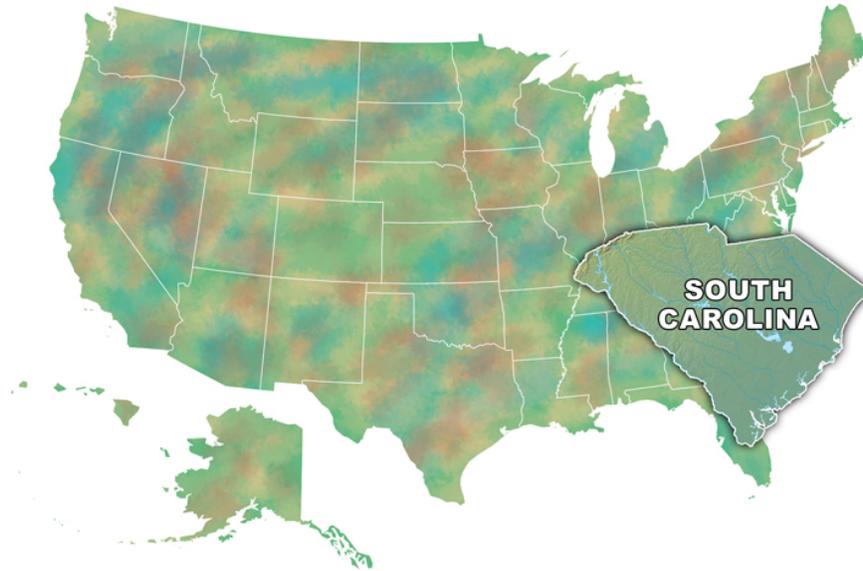
This state report is excerpted from:

The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking

submitted to Congress by The U.S. Department of Health and Human Services.

To obtain more information and a copy of the full Report to Congress go to:

<https://www.stopalcoholabuse.gov>



South Carolina

State Profile and Underage Drinking Facts*

State Population: 4,679,230
Population Ages 12–20: 541,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	21.7	117,000
Past-Month Binge Alcohol Use	13.2	71,000
Ages 12–14		
Past-Month Alcohol Use	5.0	9,000
Past-Month Binge Alcohol Use	1.0	2,000
Ages 15–17		
Past-Month Alcohol Use	18.1	32,000
Past-Month Binge Alcohol Use	9.1	000
Ages 18–20		
Past-Month Alcohol Use	41.0	76,000
Past-Month Binge Alcohol Use	28.7	53,000
Alcohol-Attributable Deaths (under 21)		85
Years of Potential Life Lost (under 21)		5,083
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	37.0	46

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Parent/guardian’s home

Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

Internal Possession by Minors

Internal possession is prohibited with the following exception(s):

- Parent/guardian’s home

Underage Purchase of Alcohol

Purchase is prohibited, but youth may purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- No statutory affirmative defense—statutes do not provide an affirmative defense related to retailer’s belief that the minor was age 21 or older.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial

- Underage purchase
- Underage possession
- Underage consumption

Authority To Impose Driver’s License Sanction

- Mandatory

Length of Suspension/Revocation

- 120 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15
- Minimum learner-stage period: 6 months
- Minimum supervised driving requirement: 40 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 15 years, 6 months
- Unsupervised night driving
 - Prohibited after: 6 p.m.—may drive unsupervised only during daylight hours; nighttime is defined as starting at 6 p.m. EST or 8 p.m. EDT
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than two passengers under 21 unless supervised by driver at least 21 years old (unless transporting students to school)
 - Primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 16 years, 6 months

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Private residence AND EITHER
- Parent/guardian OR
- Spouse
- There is an affirmative defense if the minor is not charged.

Note: South Carolina’s parent/guardian and spouse exceptions apply when the alcohol is furnished in the home of the spouse or in the home of the parent or guardian.

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: 21

Note: Although no minimum age is specified to sell beer and wine at off-sale establishments licensed to sell beer and wine, an employee of a retail liquor establishment must be at least 21 years old.

Minimum Ages for On-Premises Sellers

- Beer: 18 for servers and 21 for bartenders
- Wine: 18 for servers and 21 for bartenders
- Spirits: 18 for servers and 21 for bartenders

Distance Limitations for New Alcohol Outlets Near Universities and Schools

Colleges and Universities

No distance limitation

Primary and Secondary Schools

Prohibitions against outlet siting:

- Off-premises outlets: Yes—within 300 feet if school is within a municipality; within 500 feet if school is outside of a municipality.
- On-premises outlets: Yes—within 300 feet if school is within a municipality; within 500 feet if school is outside of a municipality.
- Alcohol products: Beer, wine, spirits

Dram Shop Liability

- There is no statutory liability.
- The courts recognize common law dram shop liability.

Social Host Liability Laws

- There is no statutory liability.
- The courts recognize common law social host liability.

Host Party Laws

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession consumption.
- Property types covered by liability law: Other.
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence.

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements: None

State Approval/Permit Requirements

- Producer/shipper must obtain state permit.

Reporting Requirements: None

Shipping Label Statement Requirements:

- Contains alcohol
- Recipient must be 21

Keg Registration

- Keg definition: 5.16 gallons or more
- Prohibited:
 - Possessing an unregistered, unlabeled keg—maximum fine/jail: \$500/30 days
 - Destroying the label on a keg—maximum fine/jail: \$500/30 days
- Purchaser information collected:
 - Purchaser’s name and address
 - Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

Alcohol Pricing Policies**Home Delivery**

- Beer: No law
- Wine: No law
- Spirits: No law

Alcohol Tax**Beer (5 percent alcohol)**

- Specific excise tax: \$0.77 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$1.08 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$2.96 per gallon
- Ad valorem excise tax (on-premises sales): 5 percent

Base tax rate is \$2.72 per gallon plus a 9 percent surtax applied to the base rate. Ad valorem tax applied at retail level.

Drink Specials

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price at specified day or time: Not prohibited—not permitted before 4 p.m. or after 8 p.m.
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Retailer credit: Not permitted

South Carolina State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
State Law Enforcement Division (SLED)	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i>	
The bulk of local enforcement efforts aimed at proactively reducing underage drinking are through the South Carolina Alcohol Enforcement Teams (AETs), a network of local law enforcement, prevention professionals and community partners organized at the judicial circuit level that is funded and coordinated by the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS). There are 16 circuits in the state, in some of which the SLED vice officers assigned to that area work closely with the AET coordinator and participate in some operations. At the state level, SLED stays up to date with AET activities through its participation in the state Underage Drinking Action Group (UDAG), an advisory body to the AET efforts. In addition, DAODAS and SLED staff communicate regularly to discuss state underage drinking enforcement efforts.	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	SLED
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	2,726
Number pertains to the 12 months ending	06/30/2011
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by state agencies	2,094
Number of licensees that failed State compliance checks	330
Numbers pertain to the 12 months ending	06/30/2011
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	6,108
Number of licensees that failed local compliance checks	754
Numbers pertain to the 12 months ending	06/30/2011
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ³	62
Total amount in fines across all licensees	No data
Numbers pertain to the 12 months ending	06/30/2011

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state ⁴	2
Total days of suspensions across all licensees	55
Numbers pertain to the 12 months ending	06/30/2011
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁵	0
Numbers pertain to the 12 months ending	06/30/2011
Additional Clarification	
None given	

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Does not include fines imposed by local agencies.

⁴ Does not include suspensions imposed by local agencies.

⁵ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking

South Carolina Alcohol Enforcement Teams (AETs)—Enforcement Efforts	
Number of youth served	435,378
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	http://chweb.pire.org/scdocuments
URL for more program information:	http://www.outoftheirhands.com
<p>Program description: South Carolina has a statewide network of local law enforcement and prevention agency partnerships called the Alcohol Enforcement Teams. Each of 16 judicial circuits has an AET that conducts best-practice law enforcement operations while offering prevention activities and raising community awareness. Typical enforcement strategies include compliance checks, public safety checkpoints, and controlled party dispersals. The program is separated into two parts (enforcement and education) in this report to distinguish the numbers served by enforcement efforts and education efforts. Given the population-level impact of the strategies conducted by AETs (with no individual being directly “served”), the state considers the affected population to be almost the entire population of 14- to 20-year-olds in South Carolina.</p>	
South Carolina Alcohol Enforcement Teams (AETs)—Education Efforts	
Number of youth served	5,584
Number of parents served	1,822
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://www.outoftheirhands.com
<p>Program description: Typical education efforts include community presentations on underage drinking and youth alcohol trends, casual contacts with young people that educate them about ongoing enforcement, visits with alcohol retailers to discuss policy enhancements and ongoing enforcement, and media engagement. The numbers served primarily relate to those reached through speaking engagements. The number listed for “parents served” is actually the number of all adults served. The way the state tracks service data does not allow for identification of which adults are parents.</p>	

Project Northland	
Number of youth served	631
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	http://chweb.pire.org/scdocuments
URL for more program information:	Not applicable
Program description: In FY2011, two local providers implemented Project Northland, an evidence-based curriculum focused on underage drinking for middle school students, through state prevention funding.	
Class Action	
Number of youth served	58
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	http://chweb.pire.org/scdocuments
URL for more program information:	Not applicable
Program description: In FY2011, one local provider implemented Class Action, an evidence-based curriculum focused on underage drinking for 9th-grade students, through state prevention funding.	
Palmetto Initiative for Campus (PICCC)/Community Collaborations	
Number of youth served	No data
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	Not applicable
Program description: PICCC (pronounced "Pisces") is an OJJDP-funded discretionary grant awarded to South Carolina to address underage and high-risk drinking on college campuses through a comprehensive approach that includes considerable involvement from the community sector. DAODAS gave minigrants to Clemson University, the University of South Carolina, Furman University, and the College of Charleston to implement a comprehensive series of work plans that include retail and social access, coalition building, impaired driving prevention, and policy. Project activities include providing an annual college alcohol issues conference. Given the nature of the multiple population- and systems-oriented approaches used by the colleges, the state cannot accurately estimate the number of people served or influenced.	
Alcohol Education Program (AEP)	
Number of youth served	1,420
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	Not applicable

Program description: AEP is a diversionary program for youth charged with an alcohol-related offense. State law requires all 16 solicitors to operate an AEP, although each can determine what fines and programs make up the process. (The solicitors are equivalent to county district attorneys, but instead of serving one county, these elected officials serve multiple counties in the 16 judicial districts throughout the state. Some of the judicial circuits include two counties, and one of the circuits has up to five counties. The solicitor serves the counties covered by the judicial circuit they are elected to serve.) In most areas, the DAODAS local provider is contracted to deliver an 8-hour alcohol education program. Data are available only for youth who go through that system.

**Underage Drinking Prevention Programs Operated or Funded by the State:
Programs RELATED TO Underage Drinking**

Palmetto Retailer Education Program (PREP)

URL for more program information: <http://www.prepmerchanted.com>

Program description: PREP is a merchant education program designed and offered in South Carolina for those who sell alcohol or tobacco products. PREP is almost exclusively offered by local alcohol and drug service providers. DAODAS supports the program by purchasing most of the local materials, making content updates, maintaining the website, maintaining a database of participants and trainers, and sending out certification cards to those who pass the post-test. The program is 2.5 to 3 hours, with an additional section for on-premises alcohol retailers.

Drug Prevention Curricula Programs

URL for more program information: <http://chweb.pire.org/scdocuments>

Program description: Most local alcohol and drug service providers deliver some sort of drug prevention curriculum in schools in their area. The vast majority of these programs are not alcohol specific (as is Project Northland), but almost all of them are general drug prevention curricula that address underage drinking in some way. In total, through DAODAS funding to local providers, 7,572 students were served in these prevention curricula programs.

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No
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Description of collaboration: Not applicable

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Program description: Not applicable

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
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DAODAS relies heavily on trusted research on underage drinking prevention, most notably the materials produced by the Underage Drinking Enforcement Training Center. In particular, “Strategies to Reduce Underage Alcohol Use: Typology and Brief Overview” gives an effectiveness rating for a wide range of approaches that are kept in mind when the state implements or funds efforts.

Additional Clarification

Enforcing Underage Drinking Laws (EUDL) funding serves as a foundation to the state’s efforts in reducing underage drinking in South Carolina. South Carolina allocates most of the EUDL block grant to 16 AETs in each judicial circuit. The EUDL funds are added to state dollars, if available, to support the AETs’ operations. The state’s goals for its EUDL funding are as follows:

- Goal #1: Strengthen local efforts to enforce underage drinking laws and raise awareness of the dangers of underage drinking.
- Goal #2: Prevent and reduce, through enhanced law enforcement efforts, youth access to alcohol and the availability of alcohol to underage youth.
- Goal #3: Build capacity among local law enforcement, alcohol merchants, and other key stakeholders to prevent and reduce underage drinking.

The Alcohol Enforcement Team model, which includes community coalition maintenance and development, merchant education, and law enforcement partnership, specifies a multi- or single jurisdictional alcohol law enforcement approach (depending on the needs and participation of law enforcement within the target area) in a community to:

- Reduce youth access to alcohol utilizing various strategies (both social and retail access).
- Measure, track, and improve merchant compliance with alcohol laws.
- Provide research-based merchant education.
- Build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development.
- Develop local law enforcement support for underage drinking prevention and enforcement efforts.

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Steven Burritt
 E-mail: sburritt@pire.org
 Address: PO Box 8268, Columbia, SC 29202
 Phone: 803-896-1185

Agencies/organizations represented on the committee:

South Carolina Department of Public Safety
 South Carolina Department of Revenue
 Pacific Institute for Research and Evaluation
 South Carolina Department of Alcohol and Other Drug Abuse Services
 South Carolina Department of Education
 State Law Enforcement Division
 South Carolina Law Enforcement Officers Association
 South Carolina Department of Transportation
 University of South Carolina
 Clemson University
 Circle Park Prevention Center
 The Phoenix Center
 Lexington-Richland Alcohol and Drug Abuse Council, Inc. (LRADAC)
 Concerned citizens
 Behavioral Health Services Association
 The Kennedy Center
 Greenville County Sheriff's Office
 Medical University of South Carolina

A website or other public source exists to describe committee activities No
 URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes

Prepared by: South Carolina Department of Alcohol and Other Drug Abuse Services
 Plan can be accessed via: Contact DAODAS prevention staff for access to the state's Strategic Prevention Framework State Incentive Grant (SPF SIG) strategic plan

State has prepared a report on preventing underage drinking in the last 3 years Yes

Prepared by: Pacific Institute for Research and Evaluation on behalf of the SC Department of Alcohol and Other Drug Abuse
 Plan can be accessed via: <http://chweb.pire.org/scdocuments> (The state outcome report for FY2011 encompasses a range of prevention activities; Chapter 5 has a strong focus on underage drinking prevention activities, namely the South Carolina Alcohol Enforcement Teams.)

Additional Clarification	
None given	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	06/30/2011
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	Not applicable
Estimate based on the 12 months ending	Not applicable

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	Yes
Fines	Yes
Fees	No data
Other	No data
<i>Description of funding streams and how they are used:</i>	
Taxes: Some money from the state alcohol tax goes toward funding the alcohol and drug system, which includes prevention. Fines: Some portion of any administrative violations on alcohol license holders is directed to SLED to conduct statewide alcohol enforcement, which includes operations aimed at reducing underage drinking. Fees: The state cannot say for certain if there are any fees collected that are used directly or indirectly for underage drinking prevention.	

Additional Clarification	
The vast majority of prevention funds, including prevention specific to underage drinking, are federal funds, most notably EUDL funds and the Substance Abuse Prevention and Treatment Block Grant.	