

The State of South Carolina

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Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3970
FACSIMILE: 803-253-6283

May 26, 1992

The Honorable Glenn G. Reese
Senator, District No. 11
Post Office Box 142
510 Gressette Building
Columbia, South Carolina 29202

Dear Senator Reese:

You have questioned the proper identification required for the sale of alcoholic beverages.

State statutes prohibit the sale or transfer of alcoholic beverages to an individual under twenty-one years of age. See, e.g. Sections 61-13-287, 61-13-290 and 61-3-990 of the Code. For a licensed place of business "to permit or knowingly allow a person under twenty-one years of age" to possess, purchase or consume alcoholic beverages is prohibited by regulations of the State Alcoholic Beverage Control Commission. See, Regulations 7-9, 7-31, 7-70 and 7-71.

None of these referenced statutes or regulations mandate the absolute manner of establishing the age of an individual where such is questionable. According to my conversation with an individual at the Commission, it is the recommendation of the Commission that a picture identification from a governmental agency be considered when reviewing questions of age. Of course, such is only a recommendation and any situation where age is questionable must be considered on a case by case basis as to whether that type identification or any other is adequate. Therefore, we are unable to state categorically what manner of establishing age would be satisfactory in all instances so as to avoid violations



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of the referenced statutes and regulations. Again, each situation must be considered on its own merits.


With kind regards, I am

Very truly yours,


Charles H. Richardson
Assistant Attorney General

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REVIEWED AND APPROVED BY:


Robert D. Cook
Executive Assistant for Opinions