**South Carolina General Assembly**

125th Session, 2023-2024

**S. 849**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Verdin and Senn

Companion/Similar bill(s): 4617

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Introduced in the Senate on January 9, 2024

Introduced in the House on April 9, 2024

Last Amended on April 3, 2024

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Xylazine

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2023 Senate Prefiled

 11/30/2023 Senate Referred to Committee on **Judiciary**

 1/9/2024 Senate Introduced and read first time (Senate Journal‑page 56)

 1/9/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 56)

 1/19/2024 Senate Referred to Subcommittee: Hutto (ch), Rice, Senn,
 Adams, Tedder

 3/27/2024 Senate Committee report: Favorable with amendment **Judiciary** (Senate Journal‑page 12)

 4/3/2024 Senate Committee Amendment Adopted (Senate Journal‑page 44)

 4/3/2024 Senate Read second time (Senate Journal‑page 44)

 4/3/2024 Senate Roll call Ayes-43 Nays-0 (Senate Journal‑page 44)

 4/4/2024 Senate Read third time and sent to House (Senate Journal‑page 17)

 4/9/2024 House Introduced and read first time (House Journal‑page 18)

 4/9/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 18)

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**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/849_20231130.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/849_20240327.docx)

[04/03/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/849_20240403.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

April 03, 2024

S. 849

Introduced by Senators Verdin and Senn

S. Printed 04/03/24--S.

Read the first time January 09, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AmendING SECTION 44‑53‑230, relating to schedule iii controlled substances, SO AS TO ADD XYLAZINE as a schedule III controlled substance, WITH EXCEPTIONS; AND BY ADDING SECTION 44‑53‑372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

 Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑53‑230(c) of the S.C. Code is amended by adding:

 13. Xylazine.

SECTION 2. Article 3, Chapter 53, Title 44 of the S.C. Code is amended by adding:

 Section 44‑53‑372. (A)(1) It is unlawful for any person to knowingly or intentionally produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute xylazine for a use other than a nonhuman use.

 (2) A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be imprisoned not more than ten years or fined not more than fifteen thousand dollars, or both.

 (B)(1) It is unlawful for any person to knowingly or intentionally possess xylazine.

 (2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one hundred eighty days or fined not more than five hundred dollars, or both.

 (C) The provisions of this section do not apply to any of the following:

 (1) the production, manufacturing, distribution, or possession of xylazine for use in legitimate veterinary practice;

 (2) the production, manufacturing, distribution, or possession of a xylazine bulk chemical for pharmaceutical compounding by a licensed pharmacist or veterinarian for use in a nonhuman species; (3) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian for use in a nonhuman species; or

 (4) the possession of xylazine in an injectable form for use in a nonhuman species.

 (D) For purposes of this section, “xylazine” means xylazine and any salt, sulfate, isomer, homologue, analogue, or other preparation of xylazine, and any salt, isomer, compound, derivative, precursor, homologue, analogue, or other preparation thereof that is substantially chemically equivalent or identical to xylazine.

SECTION 3. Chapter 53, Title 44 of the S.C. Code is amended by adding:

 Section 44-53-373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

 (A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

 (B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

 (C) the possession of xylazine in an injectable form for use in a nonhuman species.

SECTION 4. This act takes effect upon approval by the Governor.

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