**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4617**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan

Companion/Similar bill(s): 849

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Introduced in the House on January 9, 2024

Introduced in the Senate on January 16, 2024

Currently residing in the House

Summary: Xylazine

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

 1/9/2024 House Introduced and read first time (House Journal‑page 100)

 1/9/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 100)

 1/9/2024 House Member(s) request name added as sponsor: Kilmartin

 1/10/2024 House Member(s) request name added as sponsor: Robbins,
 Felder

 1/10/2024 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** (House Journal‑page 1)

 1/11/2024 House Member(s) request name added as sponsor:
 Jefferson, Caskey, Ligon, Vaughan

 1/11/2024 House Read second time (House Journal‑page 15)

 1/11/2024 House Roll call Yeas-103 Nays-0 (House Journal‑page 15)

 1/11/2024 House Unanimous consent for third reading on next legislative day (House Journal‑page 17)

 1/12/2024 House Read third time and sent to Senate (House Journal‑page 1)

 1/16/2024 Senate Introduced and read first time (Senate Journal‑page 4)

 1/16/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 4)

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

 5/1/2024 Senate Committee report: Favorable with amendment **Judiciary** (Senate Journal‑page 12)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4617&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20231116.docx)

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20240110.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20240501.docx)

Committee Report

May 01, 2024

H. 4617

Introduced by Reps. Hixon, Davis, M. M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J. L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan

S. Printed 05/01/24--S.

Read the first time January 16, 2024

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The committee on Senate Judiciary

To whom was referred a Bill (H. 4617) 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, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass with amendment:

 Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-230(c)13 and inserting:

 13. Xylazine.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. 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 nonhuman species.

Renumber sections to conform.

Amend title to conform.

LUKE RANKIN for Committee.

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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.

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, except when used in any of the following manners:

 (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 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. This act takes effect upon approval by the Governor.

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