

## Session 120 - (2013-2014)

### **S 0447 General Bill, By Fair and Shealy**

#### **Summary:** Stop Methamphetamine Production Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA STOP METHAMPHETAMINE PRODUCTION ACT"; BY ADDING SECTION 44-53-362 SO AS TO PROVIDE A PRACTITIONER WITH CONTROLLED SUBSTANCES PRESCRIPTIVE AUTHORITY IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR PRESCRIBING SUCH DRUG IN THE ABSENCE OF GROSS NEGLIGENCE; TO AMEND SECTION 44-53-230, RELATING TO DRUGS DESIGNATED AS SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO INCLUDE EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE IN THIS DESIGNATION; TO AMEND SECTION 44-53-376, RELATING TO THE CRIMINAL OFFENSE OF DISPOSING OF WASTE FROM THE PRODUCTION OF METHAMPHETAMINE, SO AS TO REQUIRE A LOCAL GOVERNMENTAL ENTITY THAT LOCATES OR SEIZES A METHAMPHETAMINE LABORATORY OR DUMPSITE TO REPORT SUCH ACTION TO THE STATE LAW ENFORCEMENT DIVISION; TO AMEND SECTION 44-53-398, AS AMENDED, RELATING TO THE OVER-THE-COUNTER SALE AND PURCHASE OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE, INCLUDING, AMONG OTHER THINGS, REQUIREMENTS FOR PACKAGING, RETAIL SALE AND PURCHASE AMOUNTS, AND LOGGING AND TRANSMITTING SALES AND PURCHASE INFORMATION, SO AS TO DELETE ALL PROVISIONS REGULATING THE SALE AND PURCHASE REQUIREMENTS OF THESE CONTROLLED SUBSTANCES EXCEPT THE FELONY CRIMINAL OFFENSE, PENALTIES FOR VIOLATIONS, AND LEGITIMATE MEDICAL EXCEPTIONS FOR POSSESSION, MANUFACTURING, DELIVERING, DISTRIBUTING, DISPENSING, ADMINISTERING, PURCHASING, OR SELLING THESE CONTROLLED SUBSTANCES; TO AMEND SECTION 44-53-1640, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PRESCRIPTION MONITORING PROGRAM FOR SCHEDULE II, III, AND IV CONTROLLED SUBSTANCES, SO AS TO PROVIDE THAT INFORMATION SUBMITTED TO THIS MONITORING PROGRAM MUST BE SUBMITTED IN ACCORDANCE WITH CERTAIN NATIONAL PHARMACY AUTOMATION AND EXCHANGE OF INFORMATION STANDARDS; TO AMEND SECTION 44-53-1650, RELATING TO THE CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE PRESCRIPTION MONITORING PROGRAM, INCLUDING PROCEDURES FOR RELEASING THIS INFORMATION, SO AS TO PROVIDE THAT LAW ENFORCEMENT MAY OBTAIN INFORMATION ON EPHEDRINE, PSEUDOEPHEDRINE, OR PHENYLPROPANOLAMINE SALES AND PURCHASES WITHOUT CONDUCTING A SPECIFIC DRUG RELATED INVESTIGATION ON A DESIGNATED PERSON; TO AMEND CHAPTER 32, TITLE 56, RELATING TO THE MOTOR VEHICLE DAMAGE DISCLOSURE ACT, SO AS TO REQUIRE A PERSON SELLING A MOTOR VEHICLE THAT WAS THE SITE OF A METHAMPHETAMINE LABORATORY OR DUMPSITE TO DISCLOSE THIS INFORMATION IN WRITING TO THE PURCHASER OF THE VEHICLE; TO AMEND SECTION 63-7-920, RELATING TO CHILD ABUSE AND NEGLECT INVESTIGATIONS AND PLACEMENT, SO AS TO PROHIBIT THE DEPARTMENT OF SOCIAL SERVICES FROM PLACING A CHILD WHO HAS BEEN EXPOSED TO METHAMPHETAMINE USE, MANUFACTURE, SALE, DISTRIBUTION, OR TRAFFICKING WITH A RELATIVE OR ASSOCIATE INVOLVED IN SUCH ILLEGAL ACTIVITY; AND TO REPEAL SECTION 23-3-1200 RELATING TO THE STATE LAW ENFORCEMENT DIVISION SERVING AS THE DEPOSITORY OF CERTAIN SCHEDULE II CONTROLLED SUBSTANCE INFORMATION.

**02/27/13 Senate Introduced and read first time (Senate Journal-page 14)**

**02/27/13 Senate Referred to Committee on Medical Affairs (Senate Journal-page 14)**