**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3137**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gilliard, Barfield, Clemmons and Loftis

Document Path: l:\council\bills\nbd\11012ahb11.docx

Companion/Similar bill(s): 78, 3144, 3212

Introduced in the House on January 11, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Schedule I drugs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/7/2010 House Prefiled

12/7/2010 House Referred to Committee on **Judiciary**

1/11/2011 House Introduced and read first time ([House Journal‑page 59](file:///h:\hj%20archive\2011\01-11-11.docx))

1/11/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 59](file:///h:\hj%20archive\2011\01-11-11.docx))

2/9/2011 House Member(s) request name added as sponsor: Barfield, Clemmons, Loftis

**VERSIONS OF THIS BILL**

[12/7/2010](file:///p:\pprever\2011-12\3137_20101207.docx)

**A** **BILL**

TO AMEND SECTION 44‑53‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I DRUGS, SO AS TO ADD SYNTHETIC CANNABIS TO THE LIST OF SCHEDULE I DRUGS.

Whereas, the General Assembly finds there is a growing threat to the public health and welfare caused by the unregulated use of synthetic cannabis commonly known by the brand names K2 and Spice; and

Whereas, studies comparing the use of marijuana and synthetic cannabis have shown that the physiological effects on the human body are similar if not stronger for synthetic cannabis users; and

Whereas, adding to the desirability of synthetic cannabis is the likelihood that its use does not produce a positive reading in drug urinalysis tests; and

Whereas, the General Assembly recognizes the need for a proactive solution to the growing popularity of synthetic cannabis use. Now, therefore,

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

SECTION 1. Section 44‑53‑190(d) of the 1976 Code, as last amended by Act 267 of 2002, is further amended to read:

“(d) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of ~~such~~ these salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. 3,4‑methylenedioxy amphetamine;

2. 5‑methoxy‑3,4‑methylenedioxy amphetamine;

3. 3,4‑methylenedioxymethamphetamine (MDMA);

4. 3,4,5‑trimethoxy amphetamine;

5. Bufotenine;

6. Diethyltryptamine (DET);

7. Dimethyltryptamine (DMT);

8. 4‑methyl‑2,5‑dimethoxyamphetamine (STP);

9. Ibogaine;

10. Lysergic acid diethylamide (LSD);

11. Marijuana;

12. Mescaline;

13. Peyote;

14. N‑ethyl‑3‑piperidyl benzilate;

15. N‑methyl‑3‑piperidyl benzilate;

16. Psilocybin;

17. Psilocyn;

18. Tetrahydrocannabinol (THC);

19. 2,5‑dimethoxyamphetamine;

20. 4‑bromo‑2,5‑dimethoxyamphetamine;

21. 4‑methoxyamphetamine;

22. Thiophene analog of phencyclidine;

23. Parahexyl; and

24. Synthetic cannabis (cannabicyclohexanol, JWH‑018, JWH‑073, HU‑210, other tetrahydrocannabinols, and any other synthetic equivalent of the substances contained in the plant or in the resinous extracts of cannabis).”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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