**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑6‑4157 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE, OFFER FOR USE, PURCHASE, OFFER TO PURCHASE, SELL, OFFER TO SELL, OR POSSESS POWDERED ALCOHOL OR FOR A LICENSE HOLDER FOR ON‑PREMISES OR OFF‑PREMISES CONSUMPTION OF ALCOHOLIC LIQUORS TO USE POWDERED ALCOHOL AS AN ALCOHOLIC BEVERAGE, AND TO PROVIDE PENALTIES AND EXCEPTIONS.

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

SECTION 1. Article 13, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61‑6‑4157. (A) As used in this section, ‘powdered alcohol’ is alcohol prepared or sold in a powder form for either direct use or reconstitution.

(B) (1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered alcohol.

(2) It is unlawful for a holder of a license pursuant to the provisions of this chapter for on‑premises or off‑premises consumption of alcoholic liquors to use powdered alcohol as an alcoholic beverage.

(3) Any person or license holder that violates this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of not more than three hundred dollars or imprisonment for not more than thirty days, or both;

(b) for a second offense, by a fine of not more than seven hundred fifty dollars or imprisonment for not more than six months, or both;

(c) for a third or subsequent offense, by a fine of not more than three thousand dollars or imprisonment for not more than two years, or both.

(C) This section does not apply to the use of powdered alcohol for bona fide research purposes by a:

(1) health care provider that operates primarily for the purpose of conducting scientific research;

(2) state institution;

(3) private college or university; or

(4) pharmaceutical or biotechnology company.”

SECTION 2. This act takes effect upon approval by the Governor.

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