COMMITTEE REPORT

May 21, 2014

**S. 1283**

Introduced by Senators L. Martin, Thurmond, Alexander, Cromer and Rankin

S. Printed 5/21/14--S.

Read the first time May 7, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1283) 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, etc., respectfully

**REPORT:**

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

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Judicial Department

Department of Corrections

The departments report that this bill will have a minimal impact on the General Fund of the State, which the agencies can absorb at their current level of funding.

Department of Revenue

The department indicates there is no fiscal impact with this bill.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**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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