**A** **BILL**

TO AMEND SECTION 44‑53‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN ARTICLE 3, CHAPTER 53, TITLE 44, “NARCOTICS AND CONTROLLED SUBSTANCES”, SO AS TO REVISE THE DEFINITION OF “CONTROLLED SUBSTANCE ANALOGUE” BY DELETING THE PROVISIONS STATING THAT IT IS A SUBSTANCE INTENDED FOR HUMAN CONSUMPTION.

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

SECTION 1. The seventh unnumbered item which defines “Controlled substance analogue” in Section 44‑53‑110 of the 1976 Code, as last amended by Act 127 of 2005, is further amended to read:

“‘Controlled substance analogue’ means a substance ~~that is intended for human consumption and~~ that either has a chemical structure substantially similar to that of a controlled substance in Schedules I, II, or III or has a stimulant, depressant, analgesic, or hallucinogenic effect on the central nervous system that is substantially similar to that of a controlled substance in Schedules I, II, or III. Controlled substance analogue does not include a controlled substance; any substance generally recognized as safe and effective within the meaning of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq.; any substance for which there is an approved new drug application; or, with respect to a particular person, any substance if an exemption is in effect for investigational use for that person under Section 505 of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 355.”

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

‑‑‑‑XX‑‑‑‑