**A** **BILL**

TO AMEND SECTION 40‑43‑86, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PROHIBITION ON THE POSSESSION, DISPENSATION, OR DISTRIBUTION OF CERTAIN DRUGS AND DEVICES WITHOUT A PRESCRIPTION UNDER THE PHARMACY PRACTICE ACT, SO AS TO CLARIFY AN EXCEPTION PERMITTING A PERSON TO POSSESS IN A PILL BOX DRUGS PRESCRIBED TO HIM, AND TO DEFINE NECESSARY TERMINOLOGY.

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

SECTION 1. Section 40‑43‑86(EE) of the 1976 Code is amended to read:

“(EE)(1)(a) Except as provided in item (2) and subsection (S), it is unlawful for a person to possess, dispense, or distribute in this State, except on a prescription of a licensed practitioner, ~~any~~ a drug or device, as defined in Section 39‑23‑20, ~~bearing~~ that bore on its manufacturer’s or distributor’s original commercial container the legend, ‘Caution: Federal law prohibits dispensing without prescription’, ‘Rx Only’, ‘Caution: Federal law restricts this drug to use by, or on the order of, a licensed veterinarian’, or ‘Caution: Federal law restricts device for sale by or on the order of a \_’.

(b) A person who violates this ~~subsection~~ item is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than two years, or both.

(2) Notwithstanding the provisions of item (1), a person may possess and store in a pill box a drug prescribed to him by a licensed practitioner for his use; provided, however, upon request by law enforcement or within thirty days thereafter, he must be able to produce a valid prescription for the drug or written statement of the prescribing licensed practitioner attesting that the practitioner had prescribed the drug for use by the patient. For the purposes of this subsection, ‘pill box’ means a special, compartmentalized container intended and used to store scheduled doses of a person’s medications.”

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

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