**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑17‑780 SO AS TO PROVIDE A CIVIL PENALTY FOR PERSONS WHO FURNISH ENERGY DRINKS TO MINORS, TO DEFINE THE TERM “ENERGY DRINK”, AND TO PROVIDE THAT BEER AND WINE PERMITS ARE NOT AFFECTED.

Whereas, energy drink manufacturers capitalize on a largely unregulated market and advertise their products directly to children and teenagers across the country; and

Whereas, the overconsumption of energy drinks can lead to a variety of health issues including cardiac arrhythmia, heart attacks, transient ischemic attacks, seizures, and kidney failure; and

Whereas, a recent study by the Journal of the American Medical Association found that consumption of a commercially available energy drink significantly increased levels of blood pressure and catecholamines in young healthy adults; and

Whereas, between 2007 and 2011, the estimated number of emergency room visits involving energy drinks doubled from 10,068 visits to 20,783 visits; and

Whereas, if energy drinks remain unregulated, countless young South Carolinians may become victims of the serious health consequences that may result from their consumption. Now, therefore,

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

SECTION 1. Article 7, Chapter 17, Title 16 of the 1976 Code is amended by adding:

“Section 16‑17‑780. (A) A person who sells, furnishes, gives, or otherwise distributes an energy drink to a minor under the age of eighteen is subject to a civil fine of not less than fifty dollars for each violation.

(B) For the purposes of this section, the term ‘energy drink’ means a beverage that contains a minimum of seventy‑one milligrams of caffeine per twelve fluid ounces and contains methylxanthines, B vitamins, guarana, ginseng, taurine, glucuronolactone, or any extracts or variations of these ingredients.

(C) Notwithstanding any other provision of law, a violation of this section does not violate the terms and conditions of an establishment’s beer and wine permit and is not grounds for revocation or suspension of a beer and wine permit.”

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

‑‑‑‑XX‑‑‑‑