**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3904**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford, Cobb-Hunter, Clyburn, Williams, Rivers, Dillard, Henegan, King, Garvin, Tedder, Bamberg, Alexander, Anderson, Rose, W. Jones, Jefferson, J. Moore, Pendarvis and Bauer

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Introduced in the House on February 8, 2023

Currently residing in the House

Summary: Trafficking in fentanyl

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/8/2023 House Introduced and read first time (House Journal‑page 7)

 2/8/2023 House Referred to Committee on **Judiciary** (House Journal‑page 7)

 2/28/2023 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3904&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3904_20230208.docx)

[02/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3904_20230228.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44‑53‑370, RELATING TO PROHIBITED ACTS AND PENALTIES, SO AS TO PROVIDE FOR CERTAIN OFFENSES AND PUNISHMENTS FOR THE POSSESSION OF CERTAIN POWDERED FENTANYL.

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

SECTION 1. Section 44‑53‑370(e) of the S.C. Code is amended by adding:

 (9) powdered fentanyl or powdered fentanyl‑related substance as defined in Section 44‑53‑210, that is at least twenty percent pure fentanyl, is guilty of a felony and, upon conviction, must be punished as follows if the quantity involved is:

 (a) less that fifteen milligrams, guilty of possession with intent to distribute, dispense, or deliver fentanyl or a fentanyl‑related substance, and upon conviction, is subject to a term of imprisonment of up to five years;

 (b) fifteen milligrams but less than fifty milligrams, guilty of trafficking in fentanyl, and upon conviction, is subject to a term of imprisonment of up to fifteen years;

 (c) fifty milligrams but less than one hundred milligrams, guilty of trafficking in fentanyl, and upon conviction, is subject to a term of imprisonment of up to twenty‑five years;

 (d) one hundred milligrams or more, guilty of trafficking in fentanyl, and upon conviction, is subject to a term of imprisonment of up to thirty years.

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

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