**South Carolina General Assembly**

125th Session, 2023-2024

**A177, R218, H4617**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan

Companion/Similar bill(s): 849

Document Path: LC-0314VR24.docx

Introduced in the House on January 9, 2024

Introduced in the Senate on January 16, 2024

Last Amended on May 8, 2024

Currently residing in the House

Governor's Action: May 20, 2024, Signed

Summary: Xylazine

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

 1/9/2024 House Introduced and read first time (House Journal‑page 100)

 1/9/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 100)

 1/9/2024 House Member(s) request name added as sponsor: Kilmartin

 1/10/2024 House Member(s) request name added as sponsor: Robbins,
 Felder

 1/10/2024 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** (House Journal‑page 1)

 1/11/2024 House Member(s) request name added as sponsor:
 Jefferson, Caskey, Ligon, Vaughan

 1/11/2024 House Read second time (House Journal‑page 15)

 1/11/2024 House Roll call Yeas-103 Nays-0 (House Journal‑page 15)

 1/11/2024 House Unanimous consent for third reading on next legislative day (House Journal‑page 17)

 1/12/2024 House Read third time and sent to Senate (House Journal‑page 1)

 1/16/2024 Senate Introduced and read first time (Senate Journal‑page 4)

 1/16/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 4)

 1/19/2024 Senate Referred to Subcommittee: Hutto (ch), Rice, Senn,
 Adams, Tedder

 5/1/2024 Senate Committee report: Favorable with amendment **Judiciary** (Senate Journal‑page 12)

 5/8/2024 Senate Committee Amendment Adopted (Senate Journal‑page 145)

 5/8/2024 Senate Read second time (Senate Journal‑page 145)

 5/8/2024 Senate Roll call Ayes-44 Nays-0 (Senate Journal‑page 145)

 5/9/2024 Senate Read third time and returned to House with amendments (Senate Journal‑page 125)

 5/9/2024 House Concurred in Senate amendment and enrolled (House Journal‑page 106)

 5/9/2024 House Roll call Yeas-104 Nays-0 (House Journal‑page 107)

 5/15/2024 Ratified R 218

 5/20/2024 Signed By Governor

 5/29/2024 Effective date 05/20/24

 5/29/2024 Act No. 177

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4617&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20231116.docx)

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20240110.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20240501.docx)

[05/08/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4617_20240508.docx)

(A177, R218, H4617)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44‑53‑230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE; BY ADDING SECTION 44‑53‑372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES; AND BY ADDING SECTION 44‑53‑373 SO AS TO CREATE AN EXCEPTION FOR VETERINARY USE OF XYLAZINE.

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

Schedule III controlled substances

SECTION 1. Section 44‑53‑230(c) of the S.C. Code is amended by adding:

 13. Xylazine.

Prohibited acts, xylazine

SECTION 2. Article 3, Chapter 53, Title 44 of the S.C. Code is amended by adding:

 Section 44‑53‑372. (A)(1) It is unlawful for any person to knowingly or intentionally produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute xylazine for a use other than a nonhuman use.

 (2) A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be imprisoned not more than ten years or fined not more than fifteen thousand dollars, or both.

 (B)(1) It is unlawful for any person to knowingly or intentionally possess xylazine.

 (2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one hundred eighty days or fined not more than five hundred dollars, or both.

 (C) The provisions of this section do not apply to any of the following:

 (1) the production, manufacturing, distribution, or possession of xylazine for use in legitimate veterinary practice;

 (2) the production, manufacturing, distribution, or possession of a xylazine bulk chemical for pharmaceutical compounding by a licensed pharmacist or veterinarian for use in a nonhuman species; (3) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian for use in a nonhuman species; or

 (4) the possession of xylazine in an injectable form for use in a nonhuman species.

 (D) For purposes of this section, “xylazine” means xylazine and any salt, sulfate, isomer, homologue, analogue, or other preparation of xylazine, and any salt, isomer, compound, derivative, precursor, homologue, analogue, or other preparation thereof that is substantially chemically equivalent or identical to xylazine.

Xylazine, authorized uses

SECTION 3. Chapter 53, Title 44 of the S.C. Code is amended by adding:

 Section 44‑53‑373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

 (A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

 (B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

 (C) the possession of xylazine in an injectable form for use in nonhuman species.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 15th day of May, 2024.

Approved the 20th day of May, 2024.

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