**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1316**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campsen

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Introduced in the Senate on March 25, 2010

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Engine coolant and antifreeze

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/25/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\03-25-10.docx)‑5

3/25/2010 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\03-25-10.docx)‑5

**VERSIONS OF THIS BILL**

[3/25/2010](file:///p:\pprever\2009-10\1316_20100325.docx)

**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 53, TITLE 44 OF THE 1976 CODE, BY ADDING SECTION 44‑53‑55 TO PROVIDE THAT ENGINE COOLANT AND ANTIFREEZE MANUFACTURED OR SOLD IN THE STATE SHALL INCLUDE A BITTERING AGENT, TO PROVIDE THAT MANUFACTURERS KEEP A RECORD OF BITTERING AGENTS USED, TO PROVIDE EXEMPTIONS FROM CERTAIN LIABILITIES, AND TO PROVIDE EXCEPTIONS.

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

SECTION 1. Article 1, Chapter 53, Title 44 of the 1976 Code is amended by adding:

“Section 44‑53‑55. (A) Any engine coolant or antifreeze that is sold or manufactured in this State and contains more than ten percent ethylene glycol shall include denatonium benzoate at a minimum of thirty parts per million and a maximum of fifty parts per million as a bittering agent within the product. Any engine coolant or antifreeze that is subject to this subsection and is not in compliance with this subsection shall be considered a hazardous substance subject to the provisions of Chapter 39, Title 23.

(B) A manufacturer of a substance subject to this section shall maintain a record of the trade name, scientific name, and active ingredients of any bittering agent used pursuant to this section. The information shall be available to the public upon request.

(C)(1) A manufacturer, processor, distributor, recycler, or seller of engine coolant or antifreeze that is required to contain a bittering agent pursuant to this section shall not be liable to any person for any personal injury, death, property damage, damage to the environment (including natural resources), or economic loss that results from the inclusion of denatonium benzoate in any engine coolant or antifreeze, provided that the inclusion of denatonium benzoate is present in concentrations mandated by this section.

(2) This limitation on liability does not apply to a cause of action that is unrelated to the inclusion of denatonium benzoate in any engine coolant or antifreeze.

(3) Nothing in this section shall be construed to exempt any manufacturer or distributor of denatonium benzoate from any liability related to denatonium benzoate.

(D) The requirements of this section shall not be construed to apply to:

(1) the sale of a motor vehicle that contains engine coolant or antifreeze; or

(2) wholesale containers of engine coolant or antifreeze containing fifty‑five gallons or more of engine coolant or antifreeze.”

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

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