**South Carolina General Assembly**

122nd Session, 2017-2018

**A166, R178, H3822**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, Erickson, West, Lowe, Ryhal, Atwater, Willis, Jefferson, W. Newton, Bennett, Crosby, Long, Putnam, Cogswell and Whipper

Document Path: l:\council\bills\cc\15015vr17.docx

Introduced in the House on February 22, 2017

Introduced in the Senate on May 10, 2017

Passed by the General Assembly on April 17, 2018

Governor's Action: May 3, 2018, Signed

Summary: Controlled substance schedules

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/22/2017 House Introduced and read first time ([House Journal‑page 39](file:///h%3A%5Chj%5C20170222.docx))

 2/22/2017 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 39](file:///h%3A%5Chj%5C20170222.docx))

 2/28/2017 House Member(s) request name added as sponsor: Arrington, Allison, Tallon, Hamilton, Felder, Elliott

 3/7/2017 House Member(s) request name added as sponsor: Jordan, B.Newton, Martin, Erickson, West, Lowe, Ryhal, Atwater, Willis, Jefferson, W.Newton, Bennett, Crosby, Long

 3/8/2017 House Member(s) request name added as sponsor: Putnam, Cogswell

 5/4/2017 House Recalled from Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 44](file:///h%3A%5Chj%5C20170504.docx))

 5/9/2017 House Member(s) request name added as sponsor: Whipper

 5/9/2017 House Read second time ([House Journal‑page 104](file:///h%3A%5Chj%5C20170509.docx))

 5/9/2017 House Roll call Yeas‑97 Nays‑0 ([House Journal‑page 105](file:///h%3A%5Chj%5C20170509.docx))

 5/10/2017 House Read third time and sent to Senate ([House Journal‑page 20](file:///h%3A%5Chj%5C20170510.docx))

 5/10/2017 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20170510.docx))

 5/10/2017 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20170510.docx))

 3/15/2018 Senate Committee report: Favorable **Medical Affairs** ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20180315.docx))

 3/29/2018 Senate Read second time ([Senate Journal‑page 46](file:///h%3A%5Csj%5C20180329.docx))

 3/29/2018 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 46](file:///h%3A%5Csj%5C20180329.docx))

 4/17/2018 Senate Read third time and enrolled ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20180417.docx))

 5/1/2018 Ratified R 178

 5/3/2018 Signed By Governor

 5/11/2018 Effective date 05/03/18

 5/14/2018 Act No. 166

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3822&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/22/2017](file:///p%3A%5Cpprever%5C2017-18%5C3822_20170222.docx)

[5/4/2017](file:///p%3A%5Cpprever%5C2017-18%5C3822_20170504.docx)

[3/15/2018](file:///p%3A%5Cpprever%5C2017-18%5C3822_20180315.docx)

(A166, R178, H3822)

**AN ACT TO AMEND SECTION 44‑53‑160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCESS FOR MAKING CHANGES TO CONTROLLED SUBSTANCE SCHEDULES, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE CODE COMMISSIONER OF ADDITIONS, DELETIONS, AND RESCHEDULING OF SUBSTANCES.**

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

**Drug scheduling changes, notice to Code Commissioner**

SECTION 1. Section 44‑53‑160(B) and (C) of the 1976 Code is amended to read:

 “(B) Except as otherwise provided in this section, during the time the General Assembly is not in session, the department may add, delete, or reschedule a substance as a controlled substance after providing notice and a hearing to all interested parties. The addition, deletion, or rescheduling of a substance pursuant to this subsection has the full force of law unless overturned by the General Assembly. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Medical, Military, Public and Municipal Affairs Committee, and the Judiciary Committee of the House of Representatives, the Clerks of the Senate and House, and the Code Commissioner, and shall post the schedules on the department’s website indicating the change and specifying the effective date of the change.

 (C) If a substance is added, deleted, or rescheduled as a controlled substance pursuant to federal law or regulation, the department shall, at the first regular or special meeting of the South Carolina Board of Health and Environmental Control within thirty days after publication in the federal register of the final order designating the substance as a controlled substance or rescheduling or deleting the substance, add, delete, or reschedule the substance in the appropriate schedule. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection has the full force of law unless overturned by the General Assembly. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection must be in substance identical with the order published in the federal register effecting the change in federal status of the substance. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Medical, Military, Public and Municipal Affairs Committee, and the Judiciary Committee of the House of Representatives, the Clerks of the Senate and House, and the Code Commissioner, and shall post the schedules on the department’s website indicating the change and specifying the effective date of the change.”

**Time effective**

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

Ratified the 1st day of May, 2018.

Approved the 3rd day of May, 2018.

\_\_\_\_\_\_\_\_\_\_