**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3090**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope and Gilliam

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Prefiled in the House on December 5, 2024

Currently residing in the House Committee on **Judiciary**

Summary: Fentanyl

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3090_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44‑130‑65 SO AS TO AUTHORIZE CIVIL AND CRIMINAL PENALTIES FOR FAILING TO SEEK TREATMENT FOR OPIOID USE DISORDERS IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Chapter 130, Title 44 of the S.C. Code is amended by adding:

 Section 44‑130‑65. (A) If a person who is administered an opioid antidote by a first responder after knowingly using and overdosing on fentanyl or another opioid refuses further treatment and subsequently is under the influence of fentanyl or another opioid, the person is subject to a civil fine in the amount of five hundred dollars and all applicable court costs and fees.

 (B) In lieu of imposing a civil fine, the court may require the person to successfully complete an assessment with an approved Department of Alcohol and Other Drug Abuse Services provider (DAODAS) and complete any recommendations of the service provider including, but not limited to, opioid treatments and medications approved by DAODAS or the Department of Public Health.

 (C) A person who fails to pay a civil fine imposed pursuant to subsection (A) or successfully complete an approved assessment and related treatment recommendations and medications, pursuant to subsection (B), as applicable, is guilty of a misdemeanor and may be imprisoned for up to ninety days in the discretion of the court.

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

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