



## Active Legislation in South Carolina

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### Overview

Legislation 5

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### Summary

This document provides an overview of South Carolina's pending hemp legislation and its potential impact on small businesses, farmers, and consumers across the state.

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## Policy List Groups

This is the list of policy items that you have added to your Projects.

### Legislation

5

Legislation • United States • South Carolina • Bill

#### SC H 4758

Hemp beverage ban

 Hemp

**Last Action: February 03, 2026 - Scrivener's error corrected**

In House • 2025-2026 Regular Session • Introduced: December 16, 2025

Sponsors: **Weston J. Newton (R)**

Co-sponsors: **Jeffrey A. Bradley (R), Gary S. Brewer (R), Donald G. Chapman (R), Heather Crawford (R), Syllest H. Davis (R), Adam L. Duncan (R), Shannon S. Erickson (R), Cally R. Forrest (R), Gil Gatch (R), Leon Doug Gilliam (R), Thomas Duval Guest (R), Charles V. Hartz (R), Lee Hewitt (R), David R. Hiott (R), William M. Hixon (R), Harriet A. Holman (R), M. Brian Lawson (R), Thomas R. Ligon (R), Phillip D. Lowe (R), David Martin (R), Timothy A. McGinnis (R), Travis A. Moore (R), Brandon Newton (R), Melissa Lackey Oremus (R), Fawn M. Pedalino (R), Thomas E. Pope (R), Luke S. Rankin (R), Robert D. Robbins (R), Carla M. Schuessler (R), G. Murrell Smith (R), Bill Taylor (R), James E. Teeple (R), David Vaughan (R), William R. Whitmire (R), Mark N. Willis (R), Christopher Sloan Wooten (R), John R. McCravy (R)**

Source: <https://www.scstatehouse.gov/billsearch.php?billnumbers=4758&session=126&summary=B> 

#### Committee Assignments:

House Committee on Judiciary

#### Bill Forecast

 In House	Likely to reach floor vote <b>95%</b> Likely to pass chamber <b>53%</b>	 In Senate	Likely to reach floor vote <b>95%</b> Likely to pass chamber <b>62%</b>
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## ★ AI Summary

This legislative document amends South Carolina law to regulate hemp cultivation, processing, and the sale of hemp-derived products. It establishes that hemp must contain no more than 0.3% THC on a dry weight basis to be considered legal and prohibits the sale, distribution, and possession of consumable hemp products exceeding this THC limit. Products containing higher THC levels are classified as contraband and are subject to seizure and criminal penalties.

The law impacts various industries, including agricultural producers, processors, retailers, and online sellers of hemp and hemp-derived goods such as cosmetics, food, and textiles. It explicitly bans online sales, direct delivery, and shipments of consumable hemp products into the state, with violations carrying fines and potential imprisonment. The legislation clarifies that interstate commerce of hemp products remains unaffected and permits the possession and sale of non-intoxicating CBD products.

Enforcement activities, including inspections and seizures, are expected to increase, requiring additional law enforcement resources starting in FY 2026-27. This may lead to increased court cases and incarceration related to violations, potentially affecting judicial and correctional budgets. However, other state agencies, such as the Department of Agriculture and the Department of Revenue, anticipate no significant expenditure impacts.

The legislation may result in a reduction of state sales tax revenue from the sale of consumable hemp products, though the exact financial impact is uncertain due to limited sales data. The law becomes effective upon approval by the Governor, with enforcement and related activities commencing thereafter.

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### [SC H 4759](#)

Intoxicating Hemp Beverages

 Hemp

**Last Action: February 03, 2026 - Scrivener's error corrected**

In House • 2025-2026 Regular Session • Introduced: December 16, 2025

Sponsors: **Weston J. Newton (R)**

Co-sponsors: **William H. Bailey (R), Jeffrey A. Bradley (R), Gary S. Brewer (R), Donald G. Chapman (R), Heather Crawford (R), Sylleste H. Davis (R), Shannon S. Erickson (R), Gil**

Gatch (R), Leon Doug Gilliam (R), Thomas Duval Guest (R), Patrick B. Haddon (R), Charles V. Hartz (R), William G. Herbkersman (R), Lee Hewitt (R), David R. Hiott (R), William M. Hixon (R), Harriet A. Holman (R), M. Brian Lawson (R), Thomas R. Ligon (R), Steven Wayne Long (R), Phillip D. Lowe (R), David Martin (R), Travis A. Moore (R), Brandon Newton (R), Melissa Lackey Oremus (R), Fawn M. Pedalino (R), Thomas E. Pope (R), Luke S. Rankin (R), Robert D. Robbins (R), Carla M. Schuessler (R), Heath Sessions (R), G. Murrell Smith (R), Marvin M. Smith (R), Bill Taylor (R), David Vaughan (R), William R. Whitmire (R), Mark N. Willis (R), Christopher Sloan Wooten (R), Richard L. Yow (R), Cody T. Mitchell (R)

Source: <https://www.scstatehouse.gov/billsearch.php?billnumbers=4759&session=126&summary=B>



#### Committee Assignments:

House Committee on Judiciary

#### Bill Forecast

 In House	Likely to reach floor vote <b>95%</b> Likely to pass chamber <b>61%</b>	 In Senate	Likely to reach floor vote <b>95%</b> Likely to pass chamber <b>70%</b>
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#### ★ AI Summary

This legislation establishes comprehensive regulations for the sale, distribution, and manufacturing of hemp and hemp-derived products within South Carolina. It mandates licensing for manufacturers, wholesalers, and retailers, with specified fees, and imposes taxes on hemp beverages based on volume and case sales. The law requires strict packaging, labeling, and testing standards to ensure product safety and compliance, including ingredient disclosures, THC content limits, and child-resistant containers.

The legislation prohibits online sales, direct deliveries, and shipments of consumable hemp products into or within the state, and restricts sales to individuals under twenty-one. It also bans possession of open containers of hemp beverages on public highways and sales on Sundays or during certain proclaimed periods, with escalating penalties for violations. Additionally, it limits the THC concentration in hemp products to no more than 0.3% delta-9 THC and prohibits intoxicating hemp products exceeding specified THC levels.

Enforcement is assigned to the South Carolina Law Enforcement Division, which will require additional personnel and resources to oversee compliance. The law impacts multiple industries, including cultivation, processing, manufacturing, and retail of hemp products, and aligns hemp beverage taxes with those applied to alcoholic beverages. The act is set to take effect on July 1, 2026, establishing a regulated framework to control the production, sale, and distribution of hemp and hemp-derived consumables in the state.

## **SC H 3935**

Hemp-Derived Consumables

 Hemp

**Last Action: April 08, 2025 - Member(s) request name added as sponsor: Hartnett**

In House • 2025-2026 Regular Session • Introduced: February 06, 2025

Sponsors: **Gil Gatch (R)**

Co-sponsors: **Marvin M. Smith (R), Thomas F. Hartnett (R)**

Source: <https://www.scstatehouse.gov/billsearch.php?billnumbers=3935&session=126&summary=B> 

### **Committee Assignments:**

House Committee on Judiciary

### **Bill Forecast**

 In House	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>93%</b>	 In Senate	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>95%</b>
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### **AI Summary**

The document outlines new regulations in South Carolina concerning the licensing and regulation of hemp-derived consumable products. It mandates that all businesses involved in the manufacturing, distribution, or sale of these products must obtain a license from the South Carolina Department of Agriculture. The legislation includes specific licensing fees for different types of businesses, as well as requirements for inspections and product safety.

Manufacturers are required to have their products tested for various contaminants and must provide a Certificate of Analysis (COA) with each product. Additionally, labeling requirements are established to ensure consumers are informed about the product's contents and potential risks. Retailers are prohibited from selling these products to individuals under twenty-one and must not market them in a way that appeals to minors.

An excise tax of two percent is imposed on the retail sale of hemp-derived consumable products, which retailers must charge separately during transactions. The document also

addresses the relationship between manufacturers and distributors, ensuring fair practices and the right to legal recourse for distributors in case of violations.

Furthermore, local school districts are required to adopt policies prohibiting the use of tobacco and hemp-derived consumable products on school property and during school-sponsored events. These regulations aim to promote responsible marketing practices, product safety, and public health within the state.

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## **SC S 137**

Hemp-Derived Cannabinoids

 Hemp

 Healthcare and Hemp/Cannabis

**Last Action: January 14, 2025 - Referred to Committee on Agriculture and Natural Resources (Senate Journal-page 88)**

In Senate • 2025-2026 Regular Session • Introduced: December 11, 2024

Sponsors: **Deon T. Tedder (D)**

Co-sponsors: **Ed Sutton (D)**

Source: <https://www.scstatehouse.gov/billsearch.php?billnumbers=137&session=126&summary=B> 

### Committee Assignments:

Senate Committee on Agriculture and Natural Resources

### Bill Forecast

 In House	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>54%</b>	 In Senate	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>83%</b>
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### Summary

This bill amends the South Carolina Code of Laws and adds guidelines for the sale and distribution of products containing Hemp-derived Cannabinoid. All retail establishments selling these products will be required to store these products in an inaccessible, safe area away from customers. Licenses will be required to sell and distribute any products containing Hemp-derived Cannabinoids. It will be an offense to sell these products to any

person under the age of eighteen years. It will also be an offense for persons under eighteen years of age to purchase, possess, or accept receipt of these products with false proof of age. All schools will be required to display a written notice prohibiting the usage of these products starting from the 2025-26 school year. Any retail establishments selling these products will be prohibited from using any characters or symbols that may appeal to persons who are considered underage.

## AI Summary

The proposed legislation in South Carolina seeks to regulate the sale and distribution of hemp-derived cannabinoid products. Key provisions include mandatory business licensing for manufacturers and retailers, with fees set at \$500 and \$250 respectively. Additionally, the sale of these products to individuals under eighteen years of age is prohibited, and all products must undergo rigorous testing by accredited laboratories to ensure safety and compliance.

Labeling requirements for retail products are also established, necessitating clear ingredient lists, health warnings, and child-resistant packaging. Furthermore, advertising must not appeal to minors, and new retail establishments are restricted from being located near educational institutions. These measures aim to enhance consumer safety and limit access to these products for younger populations.

In conjunction with the regulation of hemp-derived cannabinoids, the legislation outlines policies regarding the use of these products and tobacco in school environments. Local school districts are required to adopt written policies prohibiting the use of such products on school property and during school-sponsored events. These policies must include adequate notice, signage, and enforcement measures, with collaboration between school districts and health departments to support broader substance use prevention efforts.

The legislation also allows for instructional exceptions regarding the use of these products in supervised educational settings. Local school units have the option to implement more stringent policies if desired. Overall, these changes are expected to significantly impact the hemp-derived cannabinoid industry and educational institutions, promoting safety and compliance within these sectors.

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 [SC H 3601](#)

Hemp Derived Cannabis

**Last Action: January 14, 2025 - Referred to Committee on Judiciary (House Journal-page 261)**

In House • 2025-2026 Regular Session • Introduced: December 12, 2024

Sponsors: **Rosalyn D. Henderson-Myers (D)**

Source: <https://www.scstatehouse.gov/billsearch.php?billnumbers=3601&session=126&summary=B> 

**Committee Assignments:**

House Committee on Judiciary

**Bill Forecast**

 In House	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>57%</b>	 In Senate	Likely to reach floor vote <b>5%</b> Likely to pass chamber <b>86%</b>
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**Summary**

This bill amends the South Carolina Code of Laws to add guidelines to regulate the sale and distribution of products containing hemp-derived Cannabinoid. Under the new rules, It will be an offense for any person to sell, distribute, or assist a person under twenty-one years of age in purchasing or attempting to purchase a product containing hemp-derived cannabinoid or to unknowingly distribute samples of the same in public areas. It will require any product containing a hemp-derived cannabinoid to be maintained behind the counter of a retail establishment in an area inaccessible to a customer. A tax of five percent of the sales price of products containing a hemp-derived cannabinoid when sold at retail in this state will be required to be paid. Licenses for the sale or manufacture of these products are mandatory and will be issued by the Department of Agriculture. All products must be carefully labelled following age and health limits that the product may have.

 **AI Summary**

The proposed legislation in South Carolina seeks to regulate the sale and distribution of hemp-derived cannabinoid products. Key provisions include the requirement for businesses involved in manufacturing or selling these products to obtain a license from the Department of Agriculture, with specific fees established for producers and retailers. Additionally, a 5% sales tax on retail sales of hemp-derived products will be implemented, with the revenue directed towards regulatory efforts.

The legislation enforces age restrictions, prohibiting the sale of hemp-derived cannabinoid

products to individuals under 21 years of age, and mandates that retailers verify the age of purchasers. Furthermore, all products must undergo rigorous testing for safety parameters, including cannabinoids, heavy metals, and pesticides, conducted by accredited laboratories, and must include specific labeling standards.

Employers across various sectors, particularly those with drug-free workplace policies, will be impacted by these regulations. They are not required to accommodate employees under the influence of hemp-derived cannabinoids, which is particularly relevant in industries such as transportation and healthcare. While the legislation does not detail specific monetary impacts, businesses may incur costs related to enforcing drug-free policies and conducting impairment tests.

The regulations will take effect upon approval by the Governor, emphasizing the responsibility of individuals and employers to maintain safety and compliance with existing laws regarding the use of hemp-derived cannabinoids. Overall, the legislation aims to ensure the safe sale and distribution of these products while addressing workplace policies and public safety concerns.