Active Legislation in South Carolina

Overview

Legislation	5

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.

Policy List Groups

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

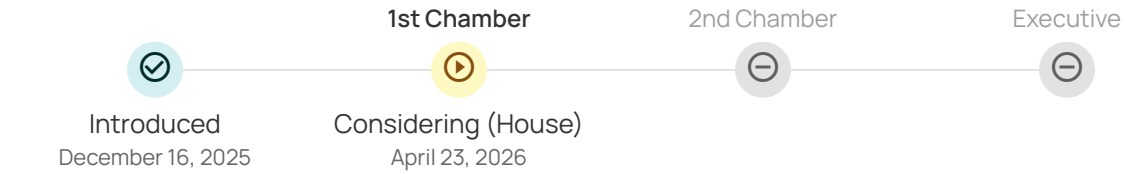
Legislation 5

Legislation • 🇺🇸United States • South Carolina • Bill

SC H 4758

Hemp beverage ban

Hemp



Last Action: April 23, 2026 - Recommitted to Committee on Judiciary (House Journal-page 149)
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), Sylleste H. Davis (R), Adam L. Duncan (R), Shannon S. Erickson (R), Cally R. Forrest (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 **95%** Likely to pass chamber **59%**	In Senate	Likely to reach floor vote **95%** Likely to pass chamber **67%**

Summary

AI Overview

FULL SUMMARY

The bill amends South Carolina's hemp law (Title 46, Chapter 55) by adding a new legislative purpose section and by revising the chapter's definitions. It adds a purpose statement encouraging lawful hemp cultivation, harvesting, and manufacturing, while expressing intent to prohibit possession, manufacturing, and distribution of "consumable hemp products" that contain THC as an illegal controlled substance. It also establishes that the chapter's provisions are not intended to restrict interstate commerce and are not intended to prohibit certain CBD products that do not produce an intoxicating or psychoactive reaction when consumed.

The bill revises definitions within Section 46-55-10, including: (1) expanding the definition of "consumable hemp product" to cover finished products intended for human consumption (including inhalation/injection) that contain any part of the hemp plant (including "intoxicating hemp products") and other hemp-derived compounds/derivatives/extracts/resins other than specified non-intoxicating cannabinoids (CBD, CBG, CBC, CBN), with an additional condition that the products do not contain an intoxicating hemp product that causes a psychoactive reaction; (2) adding/clarifying "psychoactive reaction" and reworking the "state plan" definition; and (3) refining the "THC" definition. It also renumbers portions of the definition section to conform.

The bill adds new regulatory provisions governing consumable hemp products. New Section 46-55-70 provides that consumable hemp products distributed, sold, or offered for sale in violation of the chapter are contraband and may be seized by law enforcement; further, the sale or possession of a consumable hemp product is prohibited and is punishable in the same manner as THC under Sections 44-53-190 and 44-53-370. It strictly prohibits online sales, direct delivery, and direct shipments of consumable hemp products within or into South Carolina, defining "direct shipment" as shipment directly from any producer or retailer to a South Carolina resident; violations are misdemeanors punishable by up to a $3,000 fine and/or up to three years' imprisonment. The bill adds Section 46-55-80 to preserve interstate commerce (stating nothing may be construed to limit interstate commerce of products transported through the state). It adds Section 46-55-90 to state that the chapter does not prohibit possession, manufacture, sale, or distribution of CBD products so long as they do not produce an intoxicating or psychoactive

reaction when consumed, while CBD products containing THC, “intoxicating hemp products,” or other controlled substances remain prohibited and are punished under Section 44-53-370.

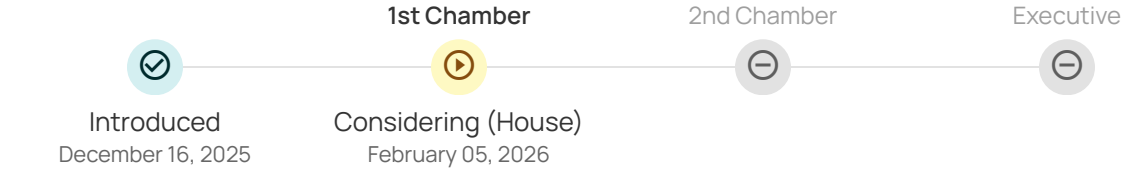
The bill includes a new compliance/education requirement for local school districts (added as a new Section 46-55-100): school districts must collaborate with the South Carolina Department of Education, the South Carolina Law Enforcement Division, and the Attorney General’s office to implement a policy to educate and notify students and parents/guardians, the public, and school personnel about the chapter’s provisions, including adequate notice about changes in law. The act takes effect upon approval by the Governor.

Legislation • 🇺🇸United States • South Carolina • Bill

SC H 4759

Intoxicating Hemp Beverages

Hemp



Last Action: February 05, 2026 - Member(s) request name removed as sponsor: Gatch
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), 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 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 **5%** Likely to pass chamber **62%**	In Senate	Likely to reach floor vote **6%** Likely to pass chamber **70%**

Summary

AI Overview

FULL SUMMARY

The bill establishes a regulatory framework for "consumable hemp products" in South Carolina, stating that manufacturing, sale, and distribution of such products are strictly prohibited unless specifically authorized in a new Chapter 55 (Title 46) and a newly added Chapter 14 (Title 61). It adds regulatory definitions for consumable hemp products and "intoxicating hemp products," clarifies key hemp-related terms (including a federal THC threshold concept), and sets the policy purpose and enforceability of the scheme.

It creates new prohibitions and enforcement mechanisms for consumable hemp products: possessing/distributing/selling/ offering for sale in violation of the new chapter is treated as contraband that may be seized; the sale or possession of a consumable hemp product (other than hemp beverages governed by the new Title 61 Chapter 14) is prohibited and punishable like THC. It also prohibits online sales, direct deliveries, and direct shipments into the state, with misdemeanor penalties (including fines up to $3,000 and/or up to three years in jail) and enforcement vested in SLED. It also adds a "safe harbor" that nothing limits continuous transportation through South Carolina of hemp (with a delta-9 THC concentration not more than three-tenths of one percent) produced under specified federal law.

It adds Chapter 14 to Title 61 to regulate "intoxicating hemp beverages," including definitions, licensing/taxation, product requirements, labeling/packaging restrictions, age limits, and enforcement. Hemp beverages are limited to a maximum of five milligrams per serving of hemp-derived delta-9 THC (with delta-9 THC concentration not exceeding 0.3% on a dry weight basis), must be sold in 12-ounce cans or bottles, and cannot contain any other intoxicating hemp product as defined in Title 46 Chapter 55. The chapter vests administration in the Department of Revenue and enforcement in SLED, authorizes regulations (including license administration and product analysis), requires licensee signage and random unannounced inspections, and makes it unlawful to sell or distribute hemp beverages to persons under 21 or to knowingly purchase on behalf of under-21

persons (with penalties tied to existing liquor-underage provisions). It further prohibits under-21 purchase/attempted purchase/consumption/knowing possession and limits defenses similarly to alcohol liquor violations; it also prohibits sale/possession of hemp beverages exceeding the THC threshold or containing any other intoxicating hemp products.

The new chapter requires product testing and documentation: an independent testing laboratory must meet ISO/IEC 17025:2017 accreditation criteria and lack financial/operational conflicts; hemp beverages must be distributed only in original sealed containers with an accompanying certificate of analysis for each batch, and distributors/retailers must provide copies immediately for inspection. Testing protocols include cannabinoid potency (including total THC, CBD, ratio and related measures), terpene profiles, heavy metals, chemical contamination, microbials, mycotoxins, and residual pesticides/solvents. Product packaging must be child-resistant and cannot use child-appealing likenesses/branding or misleading statements/artwork. Container labels must include ingredient lists, scannable codes linked to the certificate of analysis, manufacture/expiration dates, batch correspondence, THC quantities per container and per serving, and specified warnings (including drug-test failure warning, under-21 warning, pregnancy/breastfeeding caution, impairment warning for driving/heavy machinery, and an FDA-medical-use disclaimer).

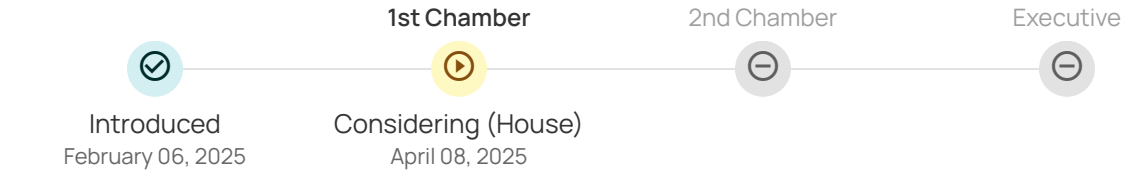
Licensing and taxation are established for hemp beverage manufacturers, wholesalers, and retail dealers, including conditions on who may sell to whom, permitting authority, and required liquor-store permitting for hemp beverage retail dealers. Licensees pay biennial taxes (manufacturer $50,000; wholesaler $20,000; retail $1,200), a $100 filing fee for initial applications (nonrefundable), and hemp beverage sales/wholesale taxes are imposed at rates/methods comparable to alcoholic liquor provisions in specified Title 12 chapters. Local school districts must collaborate with state education and law enforcement/attorney general resources to educate and notify students/parents/public/school personnel about the new law. Effective upon signature for under-21 distribution/sales prohibitions; the remaining provisions become effective October 1, 2026.

Legislation • 🇺🇸United States • South Carolina • Bill

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 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 **5%** Likely to pass chamber **93%**	In Senate	Likely to reach floor vote **5%** Likely to pass chamber **95%**

Summary

AI Overview

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.

Legislation • 🇺🇸United States • South Carolina • Bill

SC S 137

Hemp-Derived Cannabinoids

Hemp | Healthcare and Hemp/Cannabis

1st Chamber	2nd Chamber	Executive
Introduced December 11, 2024	Considering (Senate) January 14, 2025	

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 **5%** Likely to pass chamber **54%**	In Senate	Likely to reach floor vote **5%** Likely to pass chamber **83%**

Summary

Your 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 Overview

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.

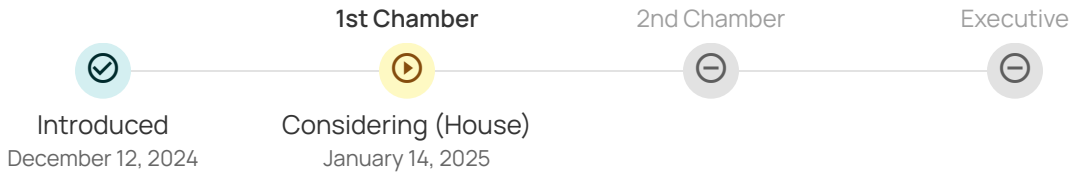
In conjunction with the regulation of hemp-derived cannabinoids, the legislation outlines policies regarding the use of these products and tobacco in school environments. Local school districts are required to adopt written policies prohibiting the use of such products on school property and during school-sponsored 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.

SC H 3601

Hemp Derived Canabis

Hemp | Healthcare and Hemp/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 **5%** Likely to pass chamber **57%**	In Senate	Likely to reach floor vote **5%** Likely to pass chamber **86%**

Summary

Your 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 Overview

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.