SOUTH CAROLINA LAWS - Alcohol and Drugs - Updated 10-09-08

ALCOHOL:

Purchase, consumption or possession of beer or wine or alcoholic liquors if you are under the age of 21

- Fine of \$100 \$200
- Suspension of driver's license for 120 days for the first offense and one year for a second or subsequent offense
- SC Code of Laws sections 20-7-8920, 20-7-8925, 56-1-746

Lying or providing false information about age for purpose of purchasing beer, wine or liquor

- Fine of \$100-\$200
- Suspension of driver's license for 120 days for the first offense and one year for a second or subsequent offense
- SC Code of Laws sections 61-4-60, 20-7-8925, 59-1-746

Open container of beer or wine in motor vehicle

- Fine up to \$100 or imprisonment for not more than 30 days
- SC Code of Laws section 61-4-110

Purchase of beer or wine for underage person

- Fine of \$200 \$300 and/or imprisoned for not more than 30 days for first offense
- Fine of \$400 \$500 and/or imprisonment for not more than 30 days for second or subsequent offense
- SC Code of Laws section 61-4-80

Transfer of beer or wine to underage person

- Fine of \$200 \$300 and/or imprisoned for not more than 30 days for first offense
- Fine of \$400 \$500 and/or imprisonment for not more than 30 days for second or subsequent offense
- SC Code of Laws section 61-4-90

Altering and Fraudulent Use of Driver's License – Cannot display or possess a canceled, revoked, suspended or fraudulently altered driver's license. Cannot lend a driver's license or personal identification card to any other person. Cannot use false or fictitious name in application for driver's license or personal identification card. Cannot permit unlawful use of driver's license or personal identification card etc.

• Fine up to \$200 or imprisonment for not more than thirty days for first offense

- Fine up to \$500 or imprisonment for not more than six months for second or subsequent offense
- SC Code of Laws section 56-1-510

Driving Under the Influence of Drugs or Alcohol

- Fine of \$400 or imprisonment for forty eight hours to thirty days for first offense. Court may impose forty-eight hours of public service in lieu of imprisonment.
- Fine of \$2,100 \$5,000 and imprisonment for five days to one year for the second offense. Court may require not less than 30 days public service employment in lieu of imprisonment.
- Fine of \$3,800 \$6,300 and imprisonment for sixty days to three years for the third offense.
- Imprisonment for not less than one year nor more than five years for a fourth or subsequent offense.
- Suspension of driver's license 6 months permanent
- SC Code of Laws section 56-5-2940, 56-5-2990

Felony Driving Under the Influence – If you cause bodily harm or death to someone while driving under the influence of alcohol, drugs or any combination thereof

- Fine of \$5,100 \$10,100 and mandatory imprisonment for thirty days fifteen years when great bodily injury results.
- Fine of \$10,100 \$25,100 and mandatory imprisonment for one to twenty five years when death results.
- Suspension of driver's license for term of imprisonment plus 3 years.
- SC Code of Laws section 56-5-2945

Contributing to Delinquency of a Minor – It is against the law for any person over 18 years of age to knowingly and willfully influence a minor to violate a law or ordinance.

- Fine up to \$3,000 and/or imprisoned for not more than three years.
- SC Code of Laws section 16-17-490

Disorderly Conduct

- Fine up to \$100 or imprisoned up to thirty days.
- SC Code of Laws section 16-17-530

OTHER DRUGS

Possession and Distribution of Drugs – It is illegal to manufacture, distribute, dispense, deliver, purchase etc. any controlled substance (i.e. cocaine, crack, marijuana etc.)

- Penalty varies depending on circumstances of arrest, the drug type and the amount.
- SC Code of Laws section 44-53-370

Distribution of Controlled Substance Close to A School – It is illegal and a separate offense to sell, distribute, make or have controlled substances within a specific distance of schools, technical schools and/or colleges and/or universities.

- Penalty varies depending on circumstances and drug. Up to \$10,000 and/or imprisonment for up to 10 years.
- SC Code of Laws section 44-53-445

Possession or Sale of Drug Paraphernalia – It is illegal to advertise for sale, manufacture, posses, sell or deliver, or to possess with the intent to sell or deliver drug paraphernalia.

- Fine up to \$500 for individual
- Fine for corporation up to \$50,000
- SC Code of Laws section 44-53-391