



South Carolina Laws & Penalties

- [Conditional Release](#)
- [Hemp](#)
- [Mandatory Minimum Sentence](#)
- [Medical CBD](#)
- [Tax Stamps](#)

Offense	Penalty	Incarceration	Max. Fine
Possession			
1 oz or less (first offense)	misdemeanor	30 days	\$ 200
1 oz or less (subsequent offense)	misdemeanor	1 year	\$ 1,000
Sale or Trafficking			
Less than 10 lbs	felony	5 years	\$ 5,000
10 - 100 lbs (first offense)	felony	1* - 10 years	\$ 10,000
10 - 100 lbs (second offense)	felony	5* - 20 years	\$ 25,000
10 - 100 lbs (third offense)	felony	25 years*	\$ 25,000
100 - 2000 lbs	felony	25 years*	\$ 25,000

2000 - 10,000 lbs	felony	25 years*	\$ 50,000
More than 10,000 lbs	felony	25 years*	\$ 200,000
To a minor, or within a 1/2 mile of a school, playground, or public park	felony	10 years	\$ 10,000
* Mandatory minimum sentence			
Cultivation			
Less than 100 plants	felony	5 years	\$ 5,000
100 - 1000 plants	felony	25 years*	\$ 25,000
1000 - 10,000 plants	felony	25 years*	\$ 50,000
More than 10,000 plants	felony	25 years*	\$ 200,000
* Mandatory minimum sentence			
Hash & Concentrates			
Possession of 10 g or less	misdemeanor	30 days	\$ 200
Possession of more than 10 g	misdemeanor	5 years	\$ 5,000
Subsequent offenses carry greater penalties			
Paraphernalia			
Possession of paraphernalia	civil citation	N/A	\$ 500

Penalty Details

Possession

Possession of 1 oz. or less is a misdemeanor punishable by a maximum sentence of 30 days imprisonment and a fine of \$100-\$200.*

* A conditional release based upon participation in the pretrial intervention program may be granted.

A subsequent conviction for possession of 1 oz. or less is a misdemeanor punishable by a maximum sentence of 1 year imprisonment and a fine of \$200-\$1,000.

See:

- South Carolina Criminal Code, Section 44-53-110 [Web Search](#)
- South Carolina Criminal Code, Section 44-53-190(d), 44-53-370(a) [Web Search](#)
- South Carolina Criminal Code, Section 44-53-370(d)(4) [Web Search](#)

Sale or Trafficking

Sale of less than 10 lbs. is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

Sale of 10 lbs.-100 lbs. is a felony punishable, for a first offense, by a mandatory minimum sentence of 1 year imprisonment and a maximum sentence of 10 years imprisonment, as well as a fine of \$10,000.

Sale of 10 lbs.-100 lbs. is a felony punishable, for a second offense, by a mandatory minimum sentence of 5 years imprisonment and a maximum sentence of 20 years imprisonment, as well as a fine of \$25,000.

Sale of 10 lbs.-100 lbs. is a felony punishable, for a third or subsequent offense, by a mandatory sentence of 25 years imprisonment, as well as a fine of \$25,000.

Sale of 100 lbs.-2,000 lbs. is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$25,000.

Sale of 2,000 lbs.-10,000 lbs. is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$50,000.

Sale of more than 10,000 lbs. is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$200,000.

Sale to a minor, or within a one-half mile radius of a school, playground, or public park is a felony punishable by a maximum sentence of 10 years imprisonment and a maximum fine of \$10,000.

See:

- South Carolina Criminal Code, Section 44-53-110 [Web Search](#)
- South Carolina Criminal Code, Section 44-53-370(e) [Web Search](#)

Cultivation

Cultivation of fewer than 100 plants is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

Cultivation of 100-1,000 plants is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$25,000.

Cultivation of 1,000- 10,000 plants is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$50,000.

Cultivation of more than 10,000 plants is a felony punishable by a mandatory minimum sentence of 25 years imprisonment and a maximum fine of \$200,000.

See:

- South Carolina Criminal Code, Section 44-53-110 [Web Search](#)
- South Carolina Criminal Code, Section 44-53-370(e) [Web Search](#)

Hash & Concentrates

Simple possession of 10 grams or less of hashish or hashish concentrate is a misdemeanor, and upon conviction, is punishable by imprisonment of up to 30 days and a fine between \$100-\$200. For a second or subsequent offense, the offender is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one year or fined not less than two hundred dollars nor more than one thousand dollars, or both. Pre-trial intervention and conditional release may be granted for first time offenders.

See:

- South Carolina Criminal Code, § 44-53-370(d)(4) [Web Search](#)

Possession of more than 10 grams of hashish or hashish oil is per se possession with intent to distribute. A conviction for PUID is punishable, for a first offense, by imprisonment for not more than five years and a fine of not more than \$5,000. For a second offense, whether the conviction was in SC or in another state, the offender is guilty of a felony and, upon conviction, must be imprisoned not more than ten years nor fined more than \$10,000. For a third or subsequent offense, the offender is guilty of a felony and, upon conviction, must be imprisoned not less than five years nor more than twenty years, and/or fined not more than \$20,000.

See:

- South Carolina Criminal Code, § 44-53-370(b)(2) [Web Search](#)

Paraphernalia

Possession of paraphernalia is a "civil citation" punishable by a maximum fine of \$500.

See:

- South Carolina Criminal Code, Section 44-53-110 [Web Search](#)
- South Carolina Criminal Code, Section 44-53-391 [Web Search](#)

CONDITIONAL RELEASE

The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

HEMP

This state has an active [hemp industry or has authorized research](#). Hemp is a distinct variety of the plant species cannabis sativa L. that contains minimal (less than 1%) amounts of tetrahydrocannabinol (THC), the primary psychoactive ingredient in marijuana. Various parts of the plant can be utilized in the making of textiles, paper, paints, clothing, plastics, cosmetics, foodstuffs, insulation, animal feed, and other products. For more information see NORML's Industrial Use section.

MANDATORY MINIMUM SENTENCE

When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

MEDICAL CBD

This state has passed a [medical CBD](#) law allowing for the use of cannabis extracts that are high in CBD and low in THC to treat severe, debilitating epileptic conditions.

TAX STAMPS

This state has a marijuana [tax stamp](#) law enacted. This law mandates that those who possess marijuana are legally required to purchase and affix state-issued stamps onto his or her contraband. Failure to do so may result in a fine and/or criminal sanction. For more information, see NORML's report Marijuana Tax Stamp Laws And Penalties.

South Carolina CBD-Specific Marijuana Law

Status

2014

QUALIFYING CONDITIONS

- Dravet Syndrome
- Lennox-Gastaut Syndrome
- Refractory epilepsy

PATIENT POSSESSION LIMITS

Cannabis extracts that contain more than 15 percent cannabidiol and no more than nine-tenths of one percent or less THC

HOME CULTIVATION

No

STATE-LICENSED DISPENSARIES

No

CAREGIVERS

No

RECIPROCITY

No

CONTACT INFORMATION

N/A