

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the College's activities unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College also enforces Federal and State drug laws. The possession, sale, manufacture, or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or Federal and State laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws (updated 08.05.2024)

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

*For the most recent and complete Federal Trafficking Penalties information, visit the website of the [U.S. Drug Enforcement Administration](#).

Drug and Alcohol State Laws (South Carolina)

Category	Summary (Code of Laws of South Carolina)
Possession of Marijuana	<p>It is illegal for any person to possess any amount of marijuana. <i>See</i> S.C. Code Ann. § 44-53-370(d)(5). Possessing 1 ounce or less of marijuana is a misdemeanor punishable by imprisonment for no longer than 30 days or a fine of not less than \$100 and not more than \$200. <i>Id.</i> Mandatory attendance in a drug abuse program may be included as part of a sentence. <i>Id.</i> However, a first-time offender may be allowed to participate in a pretrial diversion program. <i>Id.</i> Second and subsequent offenses are punishable by up to a year in prison or a fine of more than \$200 but less than \$1,000, or both. <i>Id.</i> It is a felony to manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase marijuana. S.C. Code Ann. §§ 44-53-370(a)(1); 44-53-370(b)(2). A person in possession of more than 1 ounce of marijuana is prima facie guilty of this offense, and a first offense is punishable by imprisonment for up to 5 years, a fine not to exceed \$5,000, or both. §§ 44-53-370(a)(1); 44-53-370(b)(2); 44-53-370(d)(5). A second offense is punishable by up to ten years imprisonment, a fine of not more than \$10,000, or both, and a third or subsequent offense is punishable by not less than five years nor more than twenty years imprisonment and a fine of not more than \$20,000, or both. <i>Id.</i></p>
Controlled Substances	<p>South Carolina statutes provide five Schedules of controlled substances. <i>See</i> S.C. Code Ann. §§ 44-53-190 – 44-53-270. The penalties for manufacture, distribution, or possession of a controlled substance vary depending on the classification of the drug in question, the amount of substance, and the offender’s prior offenses, but include imprisonment and monetary fines. <i>See</i> S.C. Code Ann. §§ 44-53-370; 44-53-375. For example, a conviction for the possession of LSD results in up to two years in prison and a fine up to \$5,000 (as long as it does not exceed a certain amount). S.C. Code Ann. § 44-53-370(d)(1). A person possessing less than one gram of methamphetamine or cocaine base is guilty of a misdemeanor and, upon conviction for a first offense, must be imprisoned not more than three years or fined not more than \$5,000, or both. S.C. Code Ann. § 44-53-375(A).</p> <p>It is unlawful for a person to manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance or a controlled substance analogue. S.C. Code Ann. § 44-53-370(a). Possession of a certain amount of a given substance can be considered prima facie evidence for a violation of this provision. S.C. Code Ann. § 44-53-370(d)(5). Trafficking controlled substances (which can include possession of certain larger amounts these substances) is punishable by severe monetary fines and mandatory prison sentences that cannot be suspended or reduced. S.C. Code Ann. §§ 44-53-370; 44-53-375. Manufacture, purchase, distribution, or possession within a half-mile radius of a school, playground, or park is a separate offense with additional penalties. S.C. Code Ann. § 44-53-445(a). Purchase alone within that zone is a misdemeanor and leads to a fine of up to \$1,000 and imprisonment up to one year. <i>Id.</i></p>
Alcohol & Minors	<p>It is illegal for a person under the age of 21 to purchase, attempt to purchase, possess, or consume alcoholic beverages. <i>See</i> S.C. Code Ann. §§ 63-19-2440(A); 63-19-2450(A). A person who violates this law commits a misdemeanor and must be fined not less than \$100 but no more than \$200, or must be imprisoned for up to 30 days, or both. S.C. Code Ann. §§ 63-19-2440(A); 63-19-2450(B). An offender must also participate in an 8-hour alcohol education or intervention class. S.C. Code Ann. §§ 63-19-2440(B); 63-19-2450(C). A person under the age of 21 can possess and consume alcohol in their parents’ or legal guardians’ home and during religious services. S.C. Code Ann. § 63-19-2460.</p> <p>It is unlawful, with some exceptions, for a person to transfer or give alcoholic beverages to a person under the age of twenty-one years for the purpose of consumption. S.C. Code Ann. § 61-6-4070; <i>See also</i> S.C. Code Ann. §§ 61-4-90; 61-6-4075. A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$200 and not more than \$300, and up to 30 days in jail, for a first offense. <i>Id.</i> For a second or subsequent offense, the penalty is not less than \$400 and not more than \$500, and up to 30 days in jail. <i>Id.</i> It is also illegal for a person to whom beer or wine cannot be lawfully sold to knowingly give false information concerning their age for the purpose of purchasing beer or wine. S.C. Code Ann. § 61-4-60. The penalty for a violation of this law is a fine of not less than \$100 nor more than \$200 or imprisonment for not more than thirty days, or both. <i>Id.</i></p>

Category	Summary (Code of Laws of South Carolina)
	<p>It is illegal to manufacture, store, keep, receive, have in possession, transport, ship, buy, sell, barter, exchange, or deliver alcoholic liquors, except liquors acquired in a lawful manner. S.C. Code Ann. § 61-6-4010. A person who violates this section is guilty of a misdemeanor and must be punished by a fine of not less than \$600 or imprisonment for six months for a first offense. <i>Id.</i> Penalties increase with further offenses. <i>Id.</i></p> <p>A person who is found on any highway or at any public place or public gathering in a grossly intoxicated condition or who otherwise conducts himself in a disorderly or boisterous manner is guilty of a misdemeanor and is subject to a fine of not more than \$100 or imprisonment for not more than thirty days. S.C. Code Ann. § 16-17-530. With exceptions, a person who drinks alcoholic liquors in a public conveyance in this State is considered guilty of a misdemeanor and must be fined not more than \$100 or be imprisoned not more than thirty days. S.C. Code Ann. § 61-6-4720.</p>
Driving Under the Influence (DUI)	<p>It is illegal for a person to drive a vehicle with a blood alcohol concentration of 0.08% or more or while otherwise under the influence of alcohol, drugs, or a combination of both. S.C. Code Ann. §§ 56-5-2930(A); 56-5-2933(A).</p> <p>For a person's first offense with a blood alcohol concentration greater than 0.08% but less than 0.10%, the penalty is a \$400 fine or imprisonment for not less than 48 hours or more than 30 days. S.C. Code Ann. §§ 56-5-2930(A)(1); 56-5-2933(A)(1). However, the court may substitute 48 hours of community service in lieu of the minimum jail sentence. S.C. Code Ann. §§ 56-5-2930(A)(1); 56-5-2933(A)(1). For a first offense with a blood alcohol concentration of at least 0.10% but less than 0.16%, the penalty is a \$500 fine or imprisonment for not less than 72 hours, which may be replaced by community service. S.C. Code Ann. §§ 56-5-2930(A)(1); 56-5-2933(A)(1). First offenses with a blood alcohol concentration greater than 0.16% are punishable by a \$1,000 fine or at least 30 days imprisonment (but no more than 90 days). The court may provide for 30 days of community service in lieu of the 30-day minimum imprisonment. S.C. Code Ann. §§ 56-5-2930(A)(1); 56-5-2933(A)(1). Subsequent offenses are punishable by increasingly severe imprisonment terms and monetary fines. <i>See</i> S.C. Code Ann. §§ 56-5-2930(A)(2)-(4); 56-5-2933(A)(2)-(4).</p> <p>A person convicted for a first or subsequent DUI must complete an Alcohol and Drug Safety Action Program. S.C. Code Ann. §§ 56-5-2930(H); 56-5-2933(H). Additionally, a person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and causes great bodily injury or death to another person (due to negligence or violating any law), is guilty of the offense of felony driving under the influence. The punishment for this offense, when great bodily injury results, is a mandatory fine of not less than \$5,100 nor more than \$10,100 and mandatory imprisonment for not less than thirty days nor more than fifteen years. If the person causes the death of another person, the penalty is a mandatory fine of not less than \$10,100 nor more than \$25,100 and mandatory imprisonment for not less than one year nor more than twenty-five years.</p>