



South Carolina

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NEW SC LAW PROVIDES NITROUS OXIDE REGULATIONS, PROHIBITS SALE TO MINORS

A new law in South Carolina prohibits the sale of nitrous oxide and nitrous oxide products to anyone under 18 years old. The legislation focuses on preventing anyone from misusing nitrous oxide as a recreational drug. The new law authorizes SLED to conduct inspections and enforce the law.

South Carolina's new Nitrous Oxide Regulation bill (S. 751) became law on May 18, 2026, after Governor Henry McMaster signed the bill and SLED began implementing a process for its inspection and enforcement actions.

Retailers are not allowed to sell, furnish, give, distribute, or provide nitrous oxide or nitrous oxide products to anyone under 18 years old. Retailers must demand valid identification to verify the age of the individual seeking to purchase the product. Retailers are also prohibited from selling flavored nitrous oxide products.

A person or retailer may not sell, market, or represent nitrous oxide or a nitrous oxide product for recreational inhalation or personal use. Tobacco retail establishments with the primary purpose of selling tobacco products are prohibited from selling nitrous oxide or nitrous oxide products.

Illegal possession or distribution of nitrous oxide is now a misdemeanor. The first offense is punishable by a fine up to \$1,000 and/or imprisonment up to 6 months. The second offense increases the fine to \$5,000 and/or up to 1 year in prison. And any subsequent offenses can result in a fine up to \$10,000 and/or 3 years in prison. In addition to criminal penalties, businesses violating the law may face administrative actions, including suspension or revocation of licenses or permits.

The new law does permit the sale of nitrous oxide for legitimate medical, automotive, commercial, and industrial uses which are exempted in the law.

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