**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3416**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Allison, Forrester, Littlejohn, Parker, D.C. Moss, Bingham, Toole, Gullick and Limehouse

Document Path: l:\council\bills\swb\5693cm09.docx

Companion/Similar bill(s): 336

Introduced in the House on February 3, 2009

Currently residing in the House Committee on **Judiciary**

Summary: Death by vehicle

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/3/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-03-09.docx)‑9

2/3/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\02-03-09.docx)‑10

2/11/2009 House Member(s) request name added as sponsor: Moss, Bingham, Toole

2/17/2009 House Member(s) request name added as sponsor: Gullick

2/24/2009 House Member(s) request name added as sponsor: Limehouse

**VERSIONS OF THIS BILL**

[2/3/2009](file:///p:\pprever\2009-10\3416_20090203.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑5‑3010 AND 56‑5‑3020 SO AS TO ESTABLISH THE CRIMES OF ILLEGAL DRIVING WHEN DEATH OCCURS AND ILLEGAL DRIVING WHEN GREAT BODILY INJURY OCCURS, AND TO PROVIDE PENALTIES FOR BOTH CRIMES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 23, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3010. (A) A person is guilty of illegal driving when death occurs if:

(1) he drives a vehicle and performs an act that is forbidden by law or neglects to perform a duty imposed by law in driving the vehicle;

(2) his act or neglect proximately causes the death of a person; and

(3) he has been determined to be a habitual offender as defined in Section 56‑1‑1020.

(B) A person who is convicted of, pleads guilty to, or pleads nolo contendere to illegal driving when death occurs is guilty of a felony and, upon conviction, must be imprisoned not more than twenty years, fined not less than five thousand dollars or more than ten thousand dollars, and must have his driver’s license suspended for three years beyond any period of imprisonment.”

SECTION 2. Article 23, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3020. (A) A person is guilty of illegal driving when great bodily injury occurs if:

(1) he drives a vehicle and performs an act that is forbidden by law or neglects to perform a duty imposed by law in driving the vehicle;

(2) his act or neglect proximately causes great bodily injury, as defined in Section 56‑5‑750(E), to another person; and

(3) he has been determined to be a habitual offender as defined in Section 56‑1‑1020.

(B) A person who is convicted of, pleads guilty to, or pleads nolo contendere to illegal driving when great bodily injury occurs is guilty of a felony and, upon conviction, must be imprisoned not more than ten years and fined not more than five thousand dollars, and must have his driver’s license suspended for two years beyond any period of imprisonment.”

SECTION 3. This act takes effect upon approval by the Governor.

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