~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT ADOPTED

March 30, 2017

**S. 83**

Introduced by Senator Hembree

S. Printed 3/30/17--S.

Read the first time January 10, 2017.

**A** **BILL**

TO AMEND SECTION 16-3-60 OF THE 1976 CODE, RELATING TO INVOLUNTARY MANSLAUGHTER, TO INCLUDE WITHIN THE DEFINITION OF INVOLUNTARY MANSLAUGHTER THE SALE OR DELIVERY OF CONTROLLED SUBSTANCES, THEIR ANALOGUES, OR OTHER UNLAWFUL SUBSTANCES THAT CAUSE THE DEATH OF THE USER WHEN INGESTED, AND TO PROVIDE THAT A PERSON CONVICTED OF INVOLUNTARY MANSLAUGHTER MUST BE IMPRISONED NOT MORE THAN FIFTEEN YEARS.

Amend Title To Conform

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

SECTION 1. Section 16‑3‑60 of the 1976 Code is amended to read:

“Section 16-3-60. ~~With regard to the crime of involuntary manslaughter, criminal negligence is defined as the reckless disregard of the safety of others. A person charged with the crime of involuntary manslaughter may be convicted only upon a showing of criminal negligence as defined in this section. A person convicted of involuntary manslaughter must be imprisoned not more than five years.~~ Involuntary manslaughter is the death of a person caused by the criminal negligence of another, or the reckless disregard of the safety of others, which may include the unlawful sale or delivery of a controlled substance, controlled substance analogue, or other unlawful substance when the ingestion of such substance caused the death of the user. A person convicted of involuntary manslaughter must be imprisoned not more than five years.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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