**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4188**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Sellers

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Introduced in the House on January 12, 2010

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

Summary: Driver's license suspension

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/17/2009 House Prefiled

11/17/2009 House Referred to Committee on **Education and Public Works**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑22

1/12/2010 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑22

1/21/2010 House Recalled from Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2010\01-21-10.docx)‑32

1/21/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-21-10.docx)‑32

**VERSIONS OF THIS BILL**

[11/17/2009](file:///p:\pprever\2009-10\4188_20091117.docx)

**A** **BILL**

TO AMEND SECTION 56‑1‑745, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF THE DRIVER’S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION, AND THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER’S LICENSE, SO AS TO PROVIDE THE SUSPENSION OF A DRIVER’S LICENSE BY THE COURT UNDER THIS PROVISION IS OPTIONAL AND NO LONGER MANDATORY.

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

SECTION 1. Section 56‑1‑745(A) of the 1976 Code is amended to read:

“(A) The driver’s license of a person convicted of a controlled substance violation involving hashish or marijuana ~~must~~ may be suspended for a period of six months. The driver’s license of a person convicted of any other controlled substance violation ~~must~~ may be suspended for a period of one year. If the person does not have a driver’s license, the court shall order the Department of Motor Vehicles not to issue a driver’s license for six months after the person legally is eligible for the issuance of a driver’s license if the offense involves hashish or marijuana. If the offense involves any other controlled substance, the court shall order the department not to issue a driver’s license for one year after the person legally is eligible for the issuance of a driver’s license. For each subsequent conviction under this section, the court ~~shall~~ may order the driver’s license to be suspended for an additional six months or one year, as the case may be. The additional period of suspension for a subsequent offense runs consecutively and does not commence until the expiration of the suspension for the prior offense.”

SECTION 2. This act takes effect upon approval by the Governor.

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