**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑1‑120 SO AS TO PROHIBIT A PERSON FROM INTENTIONALLY POINTING A LASER DEVICE AT THE DRIVER OF A MOTOR VEHICLE, TO PROVIDE REMEDIES, AND TO DEFINE “LASER”.

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

SECTION 1. Chapter 1, Title 39 of the 1976 Code is amended by adding:

“Section 39‑1‑120. (A) It is unlawful for a person to intentionally point a laser device at the driver of a motor vehicle. A person who knowingly violates the provisions of this subsection in person, by agent, or in any other way is guilty of a misdemeanor and, upon conviction, must be:

(1) for a first offense, fined not less than one hundred dollars nor more than two hundred dollars;

(2) for a second offense, which occurs within three years of the first offense, fined not less than two hundred dollars nor more than three hundred dollars; and

(3) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars.

(B) If a minor is found guilty of the misdemeanor provided in subsection (A), the minor’s legal guardian is responsible for the payment of any fines incurred.

(C) As used in this section, ‘laser’ means a device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum, and when discharged exceeds one milliwatt continuous wave.”

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or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded on the repealed or amended act or law, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.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. If a section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, that holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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