**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3775**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bales

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Introduced in the House on March 25, 2009

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Unlawful practice of regulated professions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/25/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑57

3/25/2009 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑57

**VERSIONS OF THIS BILL**

[3/25/2009](file:///p:\pprever\2009-10\3775_20090325.docx)

**A** **BILL**

TO AMEND SECTION 40-1-200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PRACTICE OF REGULATED PROFESSIONS OR OCCUPATIONS, SO AS TO CREATE AN ADDITIONAL OFFENSE WHEN A PERSON UNLAWFULLY PRACTICES A REGULATED PROFESSION OR OCCUPATION AND ALSO COMMITS THE OFFENSE OF OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES WHEN THE VALUE OF THE REAL OR PERSONAL PROPERTY IS MORE THAN ONE THOUSAND DOLLARS, TO PROVIDE A PENALTY, AND TO PROHIBIT A PERSON FROM OBTAINING A LICENSE TO PRACTICE IN THAT PARTICULAR REGULATED PROFESSION OR OCCUPATION FOR A CERTAIN PERIOD OF TIME.

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

SECTION 1. Section 40-1-200 of the 1976 Code is amended to read:

“Section 40-1-200. (A) A person who practices or offers to practice a regulated profession or occupation in this State in violation of this article or who knowingly submits false information for the purpose of obtaining a license is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one year or fined not more than fifty thousand dollars.

(B) A person who violates the provisions of this section and the provisions of Section 16-13-240(1) or (2) is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars and imprisoned for a mandatory minimum of one year nor more than ten years.

(C) A person who violates the provisions of subsection (B) also is prohibited from obtaining a license to practice in that particular regulated profession or occupation for at least fifteen years from the date of conviction.”

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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