**South Carolina General Assembly**

121st Session, 2015-2016

**S. 240**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Coleman

Document Path: l:\council\bills\swb\5217cm15.docx

Introduced in the Senate on January 13, 2015

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

Summary: Failure to take breath test or give blood samples

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2014 Senate Prefiled

12/10/2014 Senate Referred to Committee on **Judiciary**

1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 148](file:///h:\SJ%20Archive\2015\01-13-15.docx))

1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 148](file:///h:\SJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=240&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/10/2014](file:///p:\pprever\2015-16\240_20141210.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO HOLDS A DRIVER’S LICENSE’S IMPLIED CONSENT TO BE TESTED TO DETERMINE WHETHER THEY ARE OPERATING A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO PROVIDE THAT IF AN ARRESTING OFFICER FAILS TO PROPERLY FILE A NOTICE OF SUSPENSION WITHIN TEN DAYS OF AN ARREST WITH THE PROPER REPORTING AUTHORITY, FOR A PERSON WHO REFUSES TO TAKE A BREATH TEST, GIVE BLOOD SAMPLES, OR WHO REGISTERS AN UNLAWFUL ALCOHOL CONCENTRATION, THEN THE SUSPENSION MUST BE VACATED.

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

SECTION 1. Section 56‑5‑2950 of the 1976 Code, as last amended by Act 158 of 2014, is further amended by adding at the end:

“( ) If an arresting officer fails to properly file a notice of suspension with the proper reporting authority within ten days of an arrest for a person who refuses to take a breath test, give blood samples, or who registers an unlawful alcohol concentration pursuant to this section, then the suspension must be vacated.”

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

‑‑‑‑XX‑‑‑‑