**A** **BILL**

TO AMEND SECTION 56‑5‑2946(A) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUBMISSION TO TESTING FOR ALCOHOL OR DRUGS, SO AS TO PROVIDE THAT A PERSON MUST SUBMIT TO TESTING FOR ALCOHOL OR DRUGS IF THE PERSON DOES ANY ACT FORBIDDEN BY LAW OR NEGLECTS ANY DUTY IMPOSED BY LAW IN THE DRIVING OF A MOTOR VEHICLE WHICH PROXIMATELY CAUSES GREAT BODILY INJURY OR DEATH TO ANOTHER PERSON, AND THE PERSON’S CRIMINAL RECORD OR DRIVING RECORD INDICATES THE PERSON HAS BEEN PREVIOUSLY CONVICTED OF A VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, OR 56‑5‑2945.

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

SECTION 1. Section 56‑5‑2946(A) of the 1976 Code is amended to read:

“(A) Notwithstanding any other provision of law, a person must submit to either one or a combination of chemical tests of his breath, blood, or urine for the purpose of determining the presence of alcohol, drugs, or a combination of alcohol and drugs if:

(1) there is probable cause to believe that the person violated or is under arrest for a violation of Section 56‑5‑2945; or

(2) the person when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to another person, and the person’s criminal record or driving record indicates the person has been previously convicted of a violation of Section 56‑5‑2930, 56‑5‑2933, or 56‑5‑2945. ‘Great bodily injury’ means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

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

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