Session 126 - (2025-2026)

S 0192 General Bill, By Adams, Johnson, Fernandez, Leber and Zell

Summary: DUI Blood Draw & Implied Consent

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS, PROCEDURES, AND INFERENCE OF DUI, SO AS TO ALLOW FOR THE LAW ENFORCEMENT AGENCY TO DETERMINE WHICH TESTS SHALL BE ADMINISTERED, REMOVE THE REQUIREMENT THAT A BREATH TEST BE ADMINISTERED BEFORE OTHER TESTS, AND PROVIDE FOR THE TRAINING OF PERSONNEL TO BECOME QUALIFIED TO OBTAIN BLOOD TEST SAMPLES; BY AMENDING SECTION 24-13-100, RELATING TO THE DEFINITION OF A "NO PAROLE OFFENSE", SO AS TO PROVIDE THAT FELONY DRIVING UNDER THE INFLUENCE OR FELONY DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION RESULTING IN DEATH IS NOT A "NO PAROLE OFFENSE"; BY AMENDING SECTION 56-5-2951, RELATING TO THE SUSPENSION OF A LICENSE FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVEL OF ALCOHOL CONCENTRATION, TEMPORARY ALCOHOL LICENSES, RESTRICTED DRIVER'S LICENSES, AND PENALTIES, SO AS TO REMOVE THE TEMPORARY ALCOHOL LICENSE AND PROVIDE SUSPENSION PENALTIES; AND BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITE AND BREATH TEST SITE VIDEO RECORDING, SO AS TO PROVIDE THAT LAW ENFORCEMENT OFFICERS MUST MAKE REASONABLE EFFORTS TO ENSURE VIDEO RECORDING OF THE STOP, TESTS, AND ARREST OF A PERSON FOR A DUI.

01/14/25 Senate Introduced and read first time (Senate Journal-page 113)

01/14/25 Senate Referred to Committee on Judiciary (Senate Journal-page 113)