**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3164**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bedingfield, Daning, Wylie, Toole, Bingham, Horne, Cato and Millwood

Document Path: l:\council\bills\ms\7998ahb09.docx

Companion/Similar bill(s): 248

Introduced in the House on January 13, 2009

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

Summary: Underage drinking

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2008 House Prefiled

12/16/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑74

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑74

2/10/2009 House Member(s) request name added as sponsor: Wylie

2/11/2009 House Member(s) request name added as sponsor: Toole, Bingham

2/17/2009 House Member(s) request name added as sponsor: Horne

2/25/2009 House Member(s) request name added as sponsor: Cato

2/2/2010 House Member(s) request name added as sponsor: Millwood

**VERSIONS OF THIS BILL**

[12/16/2008](file:///p:\pprever\2009-10\3164_20081216.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑95, SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN DEATH RESULTS AND TO PROVIDE A PENALTY; AND BY ADDING SECTION 61‑6‑4083 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN DEATH RESULTS AND TO PROVIDE A PENALTY.

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

SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑95. A person who knowingly and unlawfully sells to, transfers to, or purchases beer or wine for consumption by a person under the age of twenty‑one pursuant to the prohibitions provided in Sections 61‑4‑50, 61‑4‑80, or 61‑4‑90, and that sale, transfer, or purchase is the proximate cause of the death of the person under the age of twenty‑one, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.”

SECTION 2. Article 13, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61‑6‑4083. A person who knowingly and unlawfully sells to, transfers to, or purchases alcoholic liquors for consumption by a person under the age of twenty‑one pursuant to the prohibitions provided in Sections 61‑6‑4070, 61‑6‑4075, and 61‑6‑4080, and that sale, transfer, or purchase is the proximate cause of the death of the person under the age of twenty‑one, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.”

SECTION 3. 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 4. This act takes effect upon approval by the Governor.

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