**South Carolina General Assembly**

118th Session, 2009-2010

**S. 808**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bright, Grooms, Bryant and Davis

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Introduced in the Senate on May 12, 2009

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

Summary: Law enforcement officers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/12/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑5

5/12/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\05-12-09.docx)‑5

5/28/2009 Senate Referred to Subcommittee: Hutto (ch), Rose, Shoopman

**VERSIONS OF THIS BILL**

[5/12/2009](file:///p:\pprever\2009-10\808_20090512.docx)

**A** **BILL**

TO AMEND THE 1976 CODE BY ADDING SECTION 56‑5‑2960 TO PROVIDE THAT AN ARRESTING OFFICER MUST DIRECT AND A DRIVER OF A MOTOR VEHICLE INVOLVED IN AN ACCIDENT THAT CAUSES THE DEATH OF ANOTHER PERSON TO SUBMIT TO CHEMICAL TESTS OF THE DRIVER’S BREATH, BLOOD, OR URINE TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS, OR THE COMBINATION OF BOTH, FOR AN OFFENSE ARISING OUT OF ACTS ALLEGED TO HAVE BEEN COMMITTED WHILE THE PERSON WAS DRIVING THE MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR BOTH.

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

SECTION 1. Article 23, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑2960. Notwithstanding another provision of law, an arresting officer must direct and a driver of a motor vehicle involved in an accident that causes the death of another person to submit to chemical tests of the driver’s breath, blood, or urine for the purpose of determining the presence of alcohol or drugs, or the combination of both, for an offense arising out of acts alleged to have been committed while the person was driving the motor vehicle under the influence of alcohol, drugs, or both.”

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

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