**A** **BILL**

TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56‑5‑3010 TO ESTABLISH THE CRIME OF CAUSING DEATH BY VEHICLE WHILE DRIVING ILLEGALLY; AND BY ADDING SECTION 56‑5‑3020 TO ESTABLISH THE CRIME OF CAUSING GREAT BODILY HARM BY VEHICLE WHILE DRIVING ILLEGALLY AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS.

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 56‑5‑3010. (A) For the purposes of this section, ‘habitual offender’ has the same meaning as in Section 56‑1‑1020.

(B) A person is guilty of causing death by vehicle while driving illegally if the person is an habitual offender that, while driving a vehicle, does any act forbidden by law or neglects any duty imposed by law related to driving a vehicle, and the act or neglect proximately causes the death of a person.

(C) A person who is convicted of, pleads guilty to, or pleads nolo contendere to illegal driving with death is guilty of a felony and must be imprisoned for not more than twenty years, and fined not less than five thousand dollars or not more than ten thousand dollars when death results, and must have his ability to obtain a driver’s license suspended for three years beyond any period of imprisonment.

Section 56‑5‑3020. (A) For the purposes of this section:

(1) ‘Habitual offender’ has the same meaning as in Section 56‑1‑1020.

(2) ‘Great bodily injury’ means bodily injury, which creates a substantial risk of death or which, causes permanent disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

(B) A person is guilty of great bodily injury by vehicle while driving illegally if the person is an habitual offender that, while driving a vehicle, does any act forbidden by law or neglects any duty imposed by law related to driving a vehicle, and the act or neglect proximately causes great bodily injury to another person.

(C) A person who is convicted of, pleads guilty to, or pleads nolo contendere to vehicular homicide with great bodily injury is guilty of a felony and must be imprisoned not more than ten years, and fined not more than five thousand dollars when great bodily injury results, and must have his ability to obtain a driver’s license suspended for two years beyond any period of imprisonment.”

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

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