**A** **BILL**

TO AMEND SECTION 16‑15‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR PROSTITUTION OFFENSES, SO AS TO INCREASE THE PENALTY FOR THIRD OFFENSE VIOLATIONS OF CERTAIN PROSTITUTION SOLICITATION OFFENSES TO THE FELONY LEVEL.

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

SECTION 1. Section 16‑15‑110 of the 1976 Code is amended to read:

“Section 16‑15‑110. (A) ~~Any~~ A person ~~violating any provision of Sections 16‑15‑90 and 16‑15‑100 must~~ who violates the provisions of Section 16‑15‑90(1) is guilty of a misdemeanor and, upon conviction, be punished as follows:

(1) for ~~the~~ a first offense, a fine not ~~exceeding~~ more than two hundred dollars or ~~confinement in prison for a period of~~ imprisonment for not more than thirty days;

(2) for ~~the~~ a second offense, a fine not ~~exceeding~~ more than one thousand dollars or imprisonment for not ~~exceeding~~ more than six months, or both; and

(3) for ~~the~~ a third or ~~any~~ subsequent offense, a fine not ~~exceeding~~ more than three thousand dollars or imprisonment for not ~~less~~ more than one year, or both.

(B) Except as provided in subsection (A), a person who violates the provisions of Section 16‑15‑90 or 16‑15‑100, upon conviction:

(1) for a first offense, is guilty of a misdemeanor and must be punished by a fine not more than two hundred dollars or imprisonment for not more than thirty days;

(2) for a second offense, is guilty of a misdemeanor and must be punished by a fine not more than one thousand dollars or imprisonment for not more than six months, or both; and

(3) for a third or subsequent offense, is guilty of a felony and must be punished by a fine not more than five thousand dollars or imprisonment for not more than five years, or both.”

SECTION 2. 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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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 3. This act takes effect upon approval by the Governor.

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