**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4845**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Daning

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Introduced in the House on March 4, 2014

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

Summary: DUI penalties

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/4/2014 House Introduced and read first time ([House Journal‑page 117](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/4/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 117](file:///H:\HJ%20Archive\2014\03-04-14.docx))

**VERSIONS OF THIS BILL**

[3/4/2014](file:///p:\pprever\2013-14\4845_20140304.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑2945, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE, SO AS TO INCREASE THE PENALTIES FOR THIS OFFENSE.

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

SECTION 1. Section 56‑5‑2945(A) of the 1976 Code, as last amended by Act 201 of 2008, is further amended to read:

“(A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to a person other than himself, is guilty of the offense of felony driving under the influence and, upon conviction, must be punished:

(1) by a mandatory fine of not less than ~~five~~ ten thousand ~~one~~ two hundred dollars nor more than ~~ten~~ twenty thousand ~~one~~ two hundred dollars and mandatory imprisonment for not less than ~~thirty~~ sixty days nor more than ~~fifteen~~ thirty years when great bodily injury results;

(2) by a mandatory fine of not less than ~~ten~~ twenty thousand ~~one~~ two hundred dollars nor more than ~~twenty‑five~~ fifty thousand ~~one~~ two hundred dollars and mandatory imprisonment for not less than ~~one year~~ two years nor more than ~~twenty‑five~~ fifty years when death results.

A part of the mandatory sentences required to be imposed by this section must not be suspended, and probation must not be granted for any portion.”

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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