**A** **BILL**

TO AMEND SECTION 56‑5‑2950, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO HOLDS A DRIVER’S LICENSE’S IMPLIED CONSENT TO BE TESTED TO DETERMINE WHETHER THEY ARE OPERATING A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO PROVIDE THAT IF AN ARRESTING OFFICER FAILS TO PROPERLY FILE A NOTICE OF SUSPENSION WITHIN TEN DAYS OF AN ARREST WITH THE PROPER REPORTING AUTHORITY, FOR A PERSON WHO REFUSES TO TAKE A BREATH TEST, GIVE BLOOD SAMPLES, OR WHO REGISTERS AN UNLAWFUL ALCOHOL CONCENTRATION, THEN THE SUSPENSION MUST BE VACATED.

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

SECTION 1. Section 56‑5‑2950 of the 1976 Code, as last amended by Act 158 of 2014, is further amended by adding at the end:

“( ) If an arresting officer fails to properly file a notice of suspension with the proper reporting authority within ten days of an arrest for a person who refuses to take a breath test, give blood samples, or who registers an unlawful alcohol concentration pursuant to this section, then the suspension must be vacated.”

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

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