~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT ADOPTED AND AMENDED

March 31, 2015

**S. 512**

Introduced by Senators Sheheen, McElveen, Lourie and L. Martin

S. Printed 3/31/15--S.

Read the first time March 4, 2015.

**A** **BILL**

TO AMEND SECTION 6‑13‑90 OF THE 1976 CODE, RELATING TO WILFUL DAMAGE TO A WATER SYSTEM, TO PROVIDE DIFFERENT PENALTIES FOR VIOLATIONS OF THE SECTION BASED UPON THE AMOUNT OF PROPERTY DAMAGE; AND TO PROVIDE THAT ALL OFFENSES OF THIS NATURE SHALL BE SUBJECT TO THIS PENALTY.

Amend Title To Conform

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

SECTION 1. Article 7, Chapter 11 of Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑745. (A) It shall be unlawful for any person to wilfully and maliciously injure, destroy, damage, tamper with, obstruct, or impair a public water system as defined by Section 44-55-20(13) or a public sewer system of the State or a political subdivision of the State, or any part thereof, or any machinery, apparatus, or equipment of the water system, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the appropriate agency of the State or political subdivision.

(B) A person who violates this section, upon conviction, shall be liable to pay all damages suffered by the water system, and is guilty of a misdemeanor and must be fined not more than five hundred dollars or imprisoned for not more than one year, or both.”

SECTION 2. Section 5-31-20 of the 1976 Code is deleted.

SECTION 3. Section 6-13-90 of the 1976 Code is deleted.

SECTION 4. Notwithstanding any other provision of law, the penalties contained in this act shall be imposed in all cases where a person wilfully injures or destroys, or in any manner hurts, damages, tampers with, obstructs, or impairs a water system of any political subdivision of the State, or any part thereof, or any machinery, apparatus, or equipment of the district, or pollutes the water in any part of its system, or obtains water therefrom except in accordance with the regulations promulgated by the district. Any provision of law to the contrary regarding a penalty for a violation of this nature is superseded by the provisions of this act.

SECTION 5. This act takes effect upon approval by the Governor.

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