~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

April 23, 2015

**S. 512**

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

S. Printed 4/23/15--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. It shall also be unlawful to aid, agree with, employ, or conspire with a person to do or cause to be done any of the foregoing acts.

(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 thirty days, or both if the value of the damage is two thousand dollars or less. A person who violates this section, upon conviction, is guilty of a misdemeanor and must be fined not more than five thousand dollars nor less than two thousand dollars or imprisoned for not more than 3 years, or both if the value of the damage is greater than two thousand dollars.”

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. 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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.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 5. This act takes effect upon approval by the Governor.

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