**A** **BILL**

TO AMEND SECTION 17-22-50 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELIGIBLE OFFENSES FOR ADMISSION INTO A PRE-TRIAL INTERVENTION PROGRAM, TO ALLOW A DEFENDANT TO BE ADMITTED FOR A PRE-TRIAL INTERVENTION PROGRAM IF HE IS CHARGED WITH THE OFFENSE OF DRIVING UNDER THE INFLUENCE OR DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION.

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

SECTION 1. Section 17-22-50 of the 1976 Code is amended to read:

“Section 17-22-50. (A) A person must not be considered for intervention if:

(1) he previously has been accepted into an intervention program; or

(2) the person is charged with:

(a) blackmail;

(b) ~~driving under the influence or driving with an unlawful alcohol concentration;~~

~~(c)~~ a traffic related offense which is punishable only by fine or loss of points;

~~(d)~~(c) a fish, game, wildlife, or commercial fishery related offense which is punishable by a loss of eighteen points as provided in Section 50-9-1120;

~~(e)~~(d) a crime of violence as defined in Section 16-1-60; or

~~(f)~~(e) an offense contained in Chapter 25 of Title 16 if the offender has been convicted previously of a violation of that chapter or a similar offense in another jurisdiction.

(B) However, this section does not apply if the solicitor determines the elements of the crime do not fit the charge.”

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

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