**A** **BILL**

TO AMEND SECTION 56‑5‑2930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALCOHOL AND DRUG SAFETY ACTION PROGRAMS, SO AS TO INCREASE CERTAIN PAYMENT CAPS AND TO PROVIDE THAT CERTAIN REIMBURSEMENTS ARE NOT REQUIRED.

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

SECTION 1. Section 56‑5‑2930(H) of the 1976 Code is amended to read:

“(H)(1) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant’s plan of education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two~~ four thousand dollars for treatment services, and ~~two~~ five thousand ~~five hundred~~ dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

(2) Notwithstanding any other provision of law, a provider of the services described in item (1) is not required to reimburse an individual for services provided in the event the individual is found not guilty after refusing to submit to a breathalyzer test.”

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

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