**South Carolina General Assembly**

125th Session, 2023-2024

**S. 586**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Garrett, Alexander, Goldfinch, Massey, Hembree, Martin, Climer, Young, Adams, Kimbrell, Rice, Cash, Verdin, Gambrell, M. Johnson, Turner, Bennett, Talley, Corbin and Senn

Companion/Similar bill(s): 1, 238, 3476

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Introduced in the Senate on March 2, 2023

Currently residing in the Senate

Summary: Drug-Induced Homicide

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/2/2023 Senate Introduced and read first time ([Senate Journal‑page 6](h:\sj\20230302.docx))

3/2/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](h:\sj\20230302.docx))

1/19/2024 Senate Referred to Subcommittee: Hutto (ch), Rice, Senn,
Adams, Tedder

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=586&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/586_20230302.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑3‑80 so as to create the offense of drug‑induced homicide, to provide a penalty for a violation, and to prohibit an affirmative defense; AND BY AMENDING SECTION 16‑1‑10, RELATING TO a list of exceptions for FELONIES AND MISDEMEANORS, so as to add drug‑induced homicide.

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

SECTION 1. Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16‑3‑80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a controlled substance to another person, in violation of the provisions of Section 44‑53‑370 or Section 44‑53‑375, commits the felony offense of drug‑induced homicide if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the controlled substance that was unlawfully delivered, dispensed, or otherwise provided.

(B) A person convicted of a drug‑induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person.

SECTION 2. Section 16‑1‑10(D) of the S.C. Code is amended by adding a new offense to read:

|  |  |  |
| --- | --- | --- |
| 36 | 16‑3‑80 | Drug‑induced homicide |

SECTION 3. 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 4. This act takes effect upon approval by the Governor.

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