AMENDED

February 17, 2010

**H. 3585**

Introduced by Reps. T.R. Young, Brantley, Spires, Allison, Bales, Bedingfield, Cole, Crawford, Delleney, Horne, McEachern, Merrill, Parker, Scott, G.R. Smith, Viers, A.D. Young and Erickson

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Read the first time February 19, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑1065 SO AS TO PROVIDE DEFINITIONS FOR THE TERMS “VEHICLE” AND “FALSE OR SECRET COMPARTMENT”, TO PROVIDE THAT IT IS UNLAWFUL TO OWN OR OPERATE A VEHICLE WITH A FALSE OR SECRET COMPARTMENT, TO INSTALL A FALSE OR SECRET COMPARTMENT IN A VEHICLE, AND TO SELL OR TRADE A VEHICLE WITH A FALSE OR SECRET COMPARTMENT, AND TO PROVIDE A PENALTY.

Amend Title To Conform

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

SECTION 1. Article 11, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑1065. (A) As used in this section:

(1) ‘Vehicle’ includes, but is not limited to, cars, trucks, buses, motorcycles, bicycles, aircraft, helicopters, boats, ships, yachts, and other vessels.

(2) ‘False or secret compartment’ means an enclosure which is integrated into, or attached to, a vehicle and which is found to actually contain:

(a) an illegal controlled substance;

(b) an illegal firearm;

(c) a person concealed for unlawful purposes; or

(d) other contraband.

Examples of ‘false or secret compartments’ include, but are not limited to, false, altered, or modified fuel tanks, original factory equipment on a vehicle that has been modified, and any compartment, space, or box that is added or attached to existing compartments, spaces, or boxes of the vehicle.

(B) It is unlawful for a person to knowingly own or operate a vehicle containing a false or secret compartment.

(C) It is unlawful for a person to knowingly install, create, build, or fabricate in a vehicle a false or secret compartment.

(D) It is unlawful for a person to knowingly sell, trade, or otherwise dispose of a vehicle which is in violation of this section.

(E) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than two years, or both.”

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

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