**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3797**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bowers

Document Path: l:\council\bills\ms\7262ahb11.docx

Introduced in the House on March 3, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Drive-by shooting offense

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/3/2011 House Introduced and read first time ([House Journal‑page 14](file:///h:\hj%20archive\2011\03-03-11.docx))

3/3/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 14](file:///h:\hj%20archive\2011\03-03-11.docx))

**VERSIONS OF THIS BILL**

[3/3/2011](file:///p:\pprever\2011-12\3797_20110303.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑624 SO AS TO CREATE THE OFFENSE OF COMMITTING A DRIVE‑BY SHOOTING AND TO PROVIDE A PENALTY.

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

SECTION 1. Article 7, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑624. (A) For the purposes of this section, the term ‘firearm’ means a weapon which is designed to or readily may be converted to expel a projectile by the action of an explosive or the frame or receiver of that weapon.

(B) A person who recklessly discharges a firearm in a manner which creates a substantial risk of death or great bodily injury to another person and the discharge of the firearm is from a motor vehicle, as defined in Section 38‑77‑30, or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm, or both, to the scene of the discharge of the firearm is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.”

SECTION 2. 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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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 3. This act takes effect upon approval by the Governor.

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