**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4387**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Felder, Pope, Burns, Barfield, George, Gagnon, Bedingfield, Wood and Norman

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Introduced in the House on January 14, 2014

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

Summary: Driving Under the Influence

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2013 House Prefiled

12/3/2013 House Referred to Committee on **Judiciary**

12/10/2013 Scrivener's error corrected

1/14/2014 House Introduced and read first time ([House Journal‑page 56](file:///H:\HJ%20Archive\2014\01-14-14.docx))

1/14/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 56](file:///H:\HJ%20Archive\2014\01-14-14.docx))

1/16/2014 House Member(s) request name added as sponsor: Burns, Barfield, George, Gagnon, Bedingfield, Wood, Norman

**VERSIONS OF THIS BILL**

[12/3/2013](file:///p:\pprever\2013-14\4387_20131203.docx)

[12/10/2013](file:///p:\pprever\2013-14\4387_20131210.docx)

**A** **BILL**

TO AMEND SECTION 56‑1‑286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OR PERMIT, OR THE DENIAL OF A DRIVER’S LICENSE OR PERMIT TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHO DRIVES A MOTOR VEHICLE WITH A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO REMOVE THE PROHIBITION CONTAINED IN THIS SECTION THAT PRECLUDES A LAW ENFORCEMENT OFFICER WHO INITIATES SUSPENSION PROCEEDINGS FOR A VIOLATION OF THIS SECTION FROM PROSECUTING A PERSON FOR A VIOLATION OF SEVERAL OTHER SECTIONS THAT PERTAIN TO THE UNLAWFUL PURCHASE OR CONSUMPTION OF ALCOHOL BY A PERSON UNDER THE AGE OF TWENTY‑ONE AND THE UNLAWFUL OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

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

SECTION 1. Section 56‑1‑286(A) of the 1976 Code is amended to read:

“(A) The Department of Motor Vehicles must suspend the driver’s license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to a person under the age of twenty‑one who drives a motor vehicle and has an alcohol concentration of two one‑hundredths of one percent or more. ~~In cases in which a law enforcement officer initiates suspension proceedings for a violation of this section, the officer has elected to pursue a violation of this section and is subsequently prohibited from prosecuting the~~ Nothing in this section prohibits or limits the prosecution of a person for a violation of Section 63‑19‑2440, 63‑19‑2450, 56‑5‑2930, ~~or~~ 56‑5‑2933, or 56‑5‑2945 ~~arising from the same incident~~.”

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

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