

2007 South Carolina House Bill No. 3047, South Carolina One Hundred Seventeenth Session General Assembly

SOUTH CAROLINA BILL TEXT

VERSION: Introduced  
January 09, 2007

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

SECTION 1. Section 44-53-375 of the 1976 Code, as last amended by Act 127 of 2005, is further amended by adding appropriately lettered subsections at the end to read:

'( ) A person may be charged with the offense of manslaughter, as provided in Section 16-3-50, if the death of another person is proximately caused by the unlawful distribution or trafficking in methamphetamine or cocaine base, as defined in Section 44-53-110, pursuant to the provisions of subsection (B) or (C), and the ingestion of the drug causes the death of the user.

( ) A person who manufactures methamphetamine or cocaine base, as defined in Section 44-53-110, and is convicted of a violation of this section may have his sentence increased by two years if:

(1) a person under the age of eighteen lives, is present, or is endangered by exposure to the drug, its ingredients, its by-products, or its waste; or

(2) a law enforcement officer, probation or parole officer, emergency medical services employee, firefighter, or another person conducting a lawful investigation suffers serious injury while discharging or attempting to discharge his official duties and the injury is directly caused by one of the hazards associated with the manufacture of the drug.'

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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.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.