**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4633**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Murphy, Brewer, Gatch, Robbins, Hewitt, Trantham, J.L. Johnson, Pope, Chapman, Hartnett, Leber, West, W. Newton, Mitchell, Yow and Caskey

Companion/Similar bill(s): 4825

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Introduced in the House on January 9, 2024

Currently residing in the House

Summary: Kidnapping, luring

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Judiciary**

 1/9/2024 House Introduced and read first time (House Journal‑page 105)

 1/9/2024 House Referred to Committee on **Judiciary** (House Journal‑page 105)

 1/9/2024 House Member(s) request name added as sponsor: West,
 W. Newton, Mitchell, Yow

 1/10/2024 House Member(s) request name added as sponsor: Caskey

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**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4633_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16‑3‑910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A MANDATORY MINIMuM SENTENCE WHEN THE VICTIM IS A MINOR, to PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFenSES, AND to DEFINE THE TERM “MINOR”.

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

SECTION 1. Section 16‑3‑910 of the S.C. Code is amended to read:

 Section 16‑3‑910. (A) Whoever shall unlawfully seize, confine, inveigle, lure, decoy, kidnap, abduct or carry away any other person by any means whatsoever without authority of law, except when a minor is seized or taken by his parent, is guilty of a felony and, upon conviction, must be imprisoned for a period not to exceed thirty years unless sentenced for murder as provided in Section 16‑3‑20. If the victim is a minor, the person convicted of an offense provided in this subsection must be sentenced to a mandatory minimum term of imprisonment of five years, no part of which may be suspended nor probation granted, with the maximum sentence as otherwise provided in this subsection.

 (B) A person who attempts to commit an offense provided in subsection (A), upon conviction, must be punished as for the principal offense.

 (C) The term “minor” means a person who is less than eighteen years of age.

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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