

## Session 116 - (2005-2006)

**H\*4301 (Rat #0412, Act #0379 of 2006) General Bill, By G.M. Smith, Bailey, Harrison, Altman, Vaughn, G.R. Smith, Battle, Kirsh, M.A. Pitts, Coates, Moody-Lawrence, Toole, Vick, Littlejohn, Sandifer, Owens, Ceips, Funderburk, Weeks, Rice, Simrill, Chellis, Viers and Duncan**

**Similar (S 1131)**

**Summary:** Protection of Persons and Property Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 11, TITLE 16 SO AS TO ENACT THE "PROTECTION OF PERSONS AND PROPERTY ACT", TO DEFINE THE TERMS "DWELLING", "GREAT BODILY INJURY", "RESIDENCE", AND "VEHICLE", TO AUTHORIZE THE LAWFUL USE OF DEADLY FORCE AGAINST AN INTRUDER OR ATTACKER IN A PERSON'S DWELLING, RESIDENCE, OR OCCUPIED VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE EXCEPTIONS, TO PROVIDE THAT THERE IS NO DUTY TO RETREAT IF THE PERSON IS IN A PLACE WHERE HE HAS A RIGHT TO BE, INCLUDING THE PERSON'S PLACE OF BUSINESS, AND THE USE OF DEADLY FORCE IS NECESSARY TO PREVENT DEATH, GREAT BODILY INJURY, OR THE COMMISSION OF A VIOLENT CRIME, AND TO PROVIDE THAT A PERSON WHO LAWFULLY USES DEADLY FORCE IS IMMUNE FROM CRIMINAL PROSECUTION AND CIVIL ACTION AND MAY NOT BE ARRESTED UNLESS PROBABLE CAUSE EXISTS THAT THE DEADLY FORCE USED WAS UNLAWFUL; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO LIST OF VIOLENT CRIMES, SO AS TO ADD TRAFFICKING IN COCAINE BASE; AND BY ADDING SECTION 16-23-415 SO AS TO CREATE THE OFFENSE OF TAKING A FIREARM OR OTHER WEAPON FROM THE PERSON OF A LAW ENFORCEMENT OFFICER AND TO PROVIDE A PENALTY. - ratified title

11/16/05	House	Prefiled
11/16/05	House	Referred to Committee on Judiciary
01/10/06	House	Introduced and read first time HJ-22
01/10/06	House	Referred to Committee on Judiciary HJ-22
01/25/06	House	Member(s) request name added as sponsor: Owens
01/31/06	House	Member(s) request name added as sponsor: Ceips
02/01/06	House	Committee report: Favorable Judiciary HJ-7
02/02/06	House	Member(s) request name added as sponsor: Funderburk, Weeks
02/02/06		Scrivener's error corrected
02/07/06	House	Member(s) request name added as sponsor: Rice, Simrill, Chellis, Viers
02/07/06	House	Debate adjourned until Wednesday, February 8, 2006 HJ-23
02/08/06	House	Member(s) request name added as sponsor: Duncan
02/08/06	House	Read second time HJ-22
02/08/06	House	Roll call Yeas-108 Nays-0 HJ-24
02/09/06	House	Read third time and sent to Senate HJ-11
02/09/06	Senate	Introduced and read first time SJ-8
02/09/06	Senate	Referred to Committee on Judiciary SJ-8
02/09/06	Senate	Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant
05/24/06	Senate	Polled out of committee Judiciary SJ-16
05/24/06	Senate	Committee report: Favorable with amendment Judiciary SJ-16
05/25/06	Senate	Amended SJ-72
05/25/06	Senate	Read second time SJ-72
05/31/06	Senate	Amended SJ-131
05/31/06	Senate	Read third time and returned to House with amendments SJ-131
06/01/06	House	Debate adjourned on amendments HJ-34
06/01/06	House	Senate amendment amended HJ-180
06/01/06	House	Returned to Senate with amendments HJ-180
06/01/06	Senate	Concurred in House amendment and enrolled SJ-15
06/07/06		Ratified R 412
06/09/06		Signed By Governor
06/20/06		Copies available
06/20/06		Effective date 06/09/06
06/23/06		Act No. 379