**A** **BILL**

TO AMEND SECTION 16‑23‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, SO AS TO EXPAND THE PURVIEW OF THE OFFENSE TO INCLUDE SCHOOLS, CHURCHES OR PLACES OF WORSHIP, INDOOR OR OUTDOOR SHOPPING AREAS OR MALLS, MOVIE THEATERS, PARKING LOTS, AND ANY OTHER PUBLIC GATHERING, TO PROVIDE MANDATORY MINIMUM PENALTIES FOR A VIOLATION, AND TO PROVIDE FOR GREATER PENALTIES IF GREAT BODILY INJURY OR DEATH OCCURS AS A RESULT OF A VIOLATION.

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

SECTION 1. Section 16‑23‑440 of the 1976 Code is amended to read:

“Section 16‑23‑440. (A) It is unlawful for a person to discharge or cause to be discharged unlawfully firearms at or into a dwelling house~~,~~ or other building, structure, ~~or~~ enclosure, or outdoor area regularly occupied by persons including, but not limited to, schools, churches or places of worship, indoor or outdoor shopping areas or malls, movie theaters, parking lots, or any other public gathering where three or more persons have come together as a group. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars ~~or~~ and imprisoned ~~not more~~ for a mandatory minimum term of imprisonment of not less than ten years~~, or both~~.

(B) It is unlawful for a person to discharge or cause to be discharged unlawfully firearms at or into any vehicle, aircraft, watercraft, or other conveyance, device, or equipment while it is occupied. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars ~~or~~ and imprisoned ~~not more~~ for a mandatory minimum term of imprisonment of not less than ten years~~, or both~~.

(C) A person who violates the provisions of this section and who causes another person to suffer great bodily injury as a result is guilty of a felony and, upon conviction, must be sentenced to a mandatory minimum term of imprisonment of fifteen years but not more than thirty years.

(D) A person who violates the provisions of this section and who causes the death of another person is guilty of a felony and, upon conviction, must be punished by death, or by a mandatory minimum term of imprisonment of thirty years to life, pursuant to the provisions of Section 16‑3‑20.”

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

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