**South Carolina General Assembly**

126th Session, 2025-2026

**S. 189**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rice

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Introduced in the Senate on January 14, 2025

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

Summary: Assault and Battery with Bodily Fluids

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/14/2025 Senate Introduced and read first time

1/14/2025 Senate Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=189&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/14/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/189_20250114.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑3‑605 SO AS TO CREATE THE OFFENSE OF ASSAULT AND BATTERY WITH BODILY FLUIDS, PROVIDE FOR TESTING OF COMMUNICABLE AND BLOODBORNE DISEASES, PROVIDE PENALTIES, AND PROVIDE EXCEPTIONS.

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

SECTION 1. Article 7, Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16‑3‑605. (A) For purposes of this section, “bodily fluids” includes, but is not limited to, blood, feces, urine, or semen.

(B) A person commits the offense of assault and battery with bodily fluids if he intentionally throws or attempts to throw bodily fluids onto another person without the person’s consent. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

(C) A person who violates the provisions of subsection (B) who tests positive for a communicable or bloodborne disease is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned for not more than ten years, or both.

(D) A person charged with a violation of this section is subject to mandatory testing for communicable or bloodborne diseases when exposure to his bodily fluids is determined by law enforcement or a healthcare professional to pose a health risk to the victim of the offense.

(E) A violation of this section is not considered a lesser‑included offense of throwing bodily fluids on correctional officers or employees pursuant to the provisions of Section 24‑13‑470. The provisions of this section do not prohibit the prosecution of a person for a more serious offense if the person is determined to be HIV‑positive or tests positive for another disease that may be transmitted through bodily fluids.

(F) The provisions of this section do not apply to a person who is a “patient” as defined in Section 44‑23‑10.

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

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