**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3440**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Collins and Pope

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Prefiled in the House on December 5, 2024

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

Summary: Stand Your Ground and Churches

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3440&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3440_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16‑11‑440, RELATING TO THE PRESUMPTION OF REASONABLE FEAR OF IMMINENT PERIL WHEN USING DEADLY FORCE AGAINST ANOTHER UNLAWFULLY ENTERING A RESIDENCE, OCCUPIED VEHICLE, OR PLACE OF BUSINESS, SO AS TO ADD CHURCH OR PLACE OF WORSHIP TO THE LOCATIONS WHERE A PERSON, IN CERTAIN CIRCUMSTANCES, HAS NO DUTY TO RETREAT; AND BY ADDING SECTION 16‑11‑445 SO AS TO ESTABLISH A PRESUMPTION THAT A PERSON IS JUSTIFIED IN USING DEADLY FORCE IN SELF DEFENSE IF THE PERSON IS IN A CHURCH OR PLACE OF WORSHIP IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 16‑11‑440(C) of the S.C. Code is amended to read:

 (C) A person who is not engaged in an unlawful activity and who is attacked in another place where he has a right to be, including, but not limited to, his place of business, church, or place of worship, has no duty to retreat and has the right to stand his ground and meet force with force, including deadly force, if he reasonably believes it is necessary to prevent death or great bodily injury to himself or another person or to prevent the commission of a violent crime as defined in Section 16‑1‑60.

SECTION 2. Chapter 11, Title 16 of the S.C. Code is amended by adding:

 Section 16‑11‑445. A person is presumed to be justified in using deadly force in self defense or the defense of another person, if the person is in a church or place of worship and reasonably believes that another person is using or is about to use physical force against an employee, volunteer, member of the church or place of worship, or any other person authorized to be on the premises of the church or place of worship while committing or attempting to commit a crime involving death, serious physical injury, robbery, or kidnapping. This presumption does not apply if the person who uses deadly force is engaged in an unlawful activity.

SECTION 3. This act takes effect upon approval by the Governor.

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