**South Carolina General Assembly**

126th Session, 2025-2026

**S. 39**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Williams, Hutto and Graham

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Prefiled in the Senate on December 11, 2024

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

Summary: Tree Limbs Encroaching Over Property Lines

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/11/2024 Senate Prefiled

 12/11/2024 Senate Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/39_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16‑11‑520, RELATING TO MALICIOUS INJURY TO A TREE, HOUSE, OUTSIDE FENCE, OR FIXTURE, SO AS TO PROVIDE FOR THE EXCEPTION OF TRIMMING TREE LIMBS THAT ENCROACH UPON A PROPERTY LINE.

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

SECTION 1. Section 16‑11‑520 of the S.C. Code is amended to read:

 Section 16‑11‑520. (A) It is unlawful for a person to wilfully and maliciously cut, mutilate, deface, or otherwise injure a tree, house, outside fence, or fixture of another or commit any other trespass upon real property of another.

 (B) A person who violates the provisions of this section is guilty of a:

 (1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the injury to the property or the property loss is worth ten thousand dollars or more;

 (2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the injury to the property or the property loss is worth more than two thousand dollars but less than ten thousand dollars;

 (3) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, and 14‑25‑65, if the injury to the property or the property loss is worth two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned not more than thirty days, or both.

 (C) The provisions of this section do not apply to a person trimming tree limbs that encroach upon the person’s property line.

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

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