**South Carolina General Assembly**

126th Session, 2025-2026

**S. 399**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Elliott

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Introduced in the Senate on February 27, 2025

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

Summary: Public Transit Trespass

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/27/2025 Senate Introduced and read first time (Senate Journal‑page 3)

 2/27/2025 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 3)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=399&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/27/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/399_20250227.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑11‑635 SO AS TO PROVIDE THAT A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A TRANSPORTATION FACILITY, INCLUDING ANY PUBLIC TRANSPORTATION AND ANY PUBLIC TRANSPORTATION SYSTEM, AFTER HAVING BEEN WARNED NOT TO DO SO BY THE TRANSIT DIRECTOR OR HIS DESIGNEE, IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, TO PROVIDE PROCEDURES FOR A WRITTEN WARNING AND FOR APPEALING THE WARNING, AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

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

SECTION 1. Chapter 11, Title 16 of the S.C. Code is amended by adding:

 Section 16‑11‑635. (A)(1) A person who enters a transportation facility, including any public transportation and any public transportation system, as defined in Section 58‑25‑20, without legal cause or good excuse, after having been warned not to do so by the transit director, transit supervisor, or the designee of the transit director or transit supervisor in consultation with the transit director or transit supervisor, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or be imprisoned not more than thirty days.

 (2) A copy of the warning notice provided for by subsection (A)(1) must be given to the person, in writing, in the presence of a law enforcement officer. When issued, unless otherwise specifically limited in scope, the warning notice shall apply to all transportation facilities of the transit authority, including all public transportation and all public transportation systems governed by the transit authority. The warning notice must state:

 (a) the alleged criminal law violation or the alleged violation of the transit authority’s code of conduct promulgated by the board of the transit authority under the authority provided by Section 4‑37‑20;

 (b) the duration of the prohibition to return; and

 (c) the procedure by which the person may appeal the warning notice to the board of the transit authority.

 (3) The person receiving the warning notice of trespass wishing to appeal the notice must submit a request for a hearing to the board of the transit authority within five business days of receiving the warning notice. The board of the transit authority must then provide a hearing within ten business days of the request for an appeal.

 (B) A violation of the provisions of this section is triable in the appropriate municipal or magistrates court with jurisdiction over the offense. Any law enforcement officer of this State or a subdivision of this State may enforce the provisions of this section within their respective jurisdictions.

 (C) The provisions of this section must be construed as in addition to, and not as superseding, another statute relating to trespass or unlawful entry on lands of another.

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

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