

## Session 116 - (2005-2006)

**S 0026 General Bill, By Leatherman, Campsen, Verdin, Mescher, Setzler, Alexander, Fair, Grooms and Richardson**  
***Similar (S 0013, H 3025)***

**Summary:** Teacher Protection Act

A BILL TO AMEND SECTION 16-3-612 OF THE 1976 CODE, RELATING TO A STUDENT COMMITTING ASSAULT AND BATTERY AGAINST A PERSON AFFILIATED WITH A SCHOOL, TO CHANGE THE OFFENSE FROM A MISDEMEANOR TO A FELONY, AND TO ALLOW A PERSON AFFILIATED WITH A SCHOOL TO BRING A CIVIL ACTION AGAINST A STUDENT WHO COMMITS ASSAULT AND BATTERY AGAINST THE PERSON; TO AMEND SECTIONS 16-3-1535, 16-3-1545, AND 16-3-1550, RELATING TO THE NOTIFICATION OF VICTIMS IN PROCEEDINGS IN SUMMARY, FAMILY, AND CIRCUIT COURT, TO REQUIRE THE JUDGE TO INQUIRE WHETHER THE VICTIM WAS NOTIFIED OF THE PROCEEDING, WHETHER THE VICTIM IS PRESENT AT THE PROCEEDING, AND WHETHER THE VICTIM DESIRES TO BE HEARD AT THE PROCEEDING; TO AMEND CHAPTER 78, TITLE 15 BY ADDING SECTION 15-78-210 TO LIMIT A TEACHER'S CIVIL LIABILITY UNDER THE TORT CLAIMS ACT AND PROVIDING FOR A TEACHER'S RIGHT TO BRING A CIVIL ACTION AGAINST A STUDENT WHO COMMITS A CRIMINAL OFFENSE AGAINST THE TEACHER ON SCHOOL GROUNDS OR AT A SCHOOL SPONSORED EVENT; AND TO AMEND CHAPTER 25 OF TITLE 59, BY ADDING SECTION 59-25-900, TO PROVIDE THAT A PERSON ASSOCIATED WITH A SCHOOL IN AN OFFICIAL CAPACITY WHO IS INJURED TO THE DEGREE THAT THE PERSON IS UNABLE TO RETURN TO HIS FORMER POSITION BY A STUDENT CONVICTED OF A VIOLATION OF THE SOUTH CAROLINA TEACHER PROTECTION ACT THAT CAUSED THE INJURY MUST BE ALLOWED TO CONTINUE IN ALL RETIREMENT, INSURANCE, AND DEFERRED COMPENSATION PROGRAMS IN WHICH THE PERSON WAS ENROLLED AT THE TIME OF THE INJURY WITH THE EMPLOYER REQUIRED TO CONTINUE EMPLOYER CONTRIBUTIONS ON BEHALF OF THE INJURED EMPLOYEE.

**12/08/04 Senate Prefiled**

**12/08/04 Senate Referred to Committee on Judiciary**

**01/11/05 Senate Introduced and read first time SJ-94**

**01/11/05 Senate Referred to Committee on Judiciary SJ-94**

**02/04/05 Senate Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant**