

Session 114 - (2001-2002)

H 3050 General Bill, By Campsen, Sandifer, McGee, Davenport, Simrill and Rodgers

Summary: Home Invasion Privacy Act of 2001, degrees of violations and penalties for; Crimes and Offenses, Property

A BILL TO ENACT THE "HOME INVASION PROTECTION ACT OF 2001" INCLUDING PROVISIONS TO AMEND ARTICLE 5, CHAPTER 11, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES OF BURGLARY, HOUSEBREAKING, AND ROBBERY, BY ADDING SECTION 16-11-400 SO AS TO PROVIDE FOR THE OFFENSES OF HOME INVASION IN THE FIRST, SECOND, AND THIRD DEGREES WHICH MAKE IT UNLAWFUL FOR A PERSON TO ENTER A DWELLING WITHOUT CONSENT AND WITH THE INTENT TO COMMIT A FELONY, LARCENY, OR ASSAULT WHILE ARMED WITH A DANGEROUS WEAPON AND WHILE ANOTHER PERSON IS LAWFULLY PRESENT IN THE DWELLING, AND TO PROVIDE PENALTIES FOR VIOLATION; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO VIOLENT OFFENSES, SO AS TO INCLUDE HOME INVASION, FIRST AND SECOND DEGREE; TO AMEND SECTION 16-3-20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO INCLUDE AS A SEPARATE STATUTORY AGGRAVATING CIRCUMSTANCE WHICH MAY BE CONSIDERED IN THE DETERMINATION OF WHETHER THE DEATH PENALTY SHOULD BE IMPOSED, A MURDER COMMITTED WHILE IN THE COMMISSION OF THE OFFENSE OF HOME INVASION IN THE FIRST DEGREE; AND TO DIRECT THE CODE COMMISSIONER TO PLACE THESE OFFENSES IN THE APPROPRIATE CRIME CLASSIFICATION LISTS IN SECTION 16-1-10 AND SECTION 16-1-90.

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