**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3229**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith and Weeks

Document Path: l:\council\bills\ms\7110ahb09.docx

Introduced in the House on January 13, 2009

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

Summary: Schools

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑97

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑97

**VERSIONS OF THIS BILL**

[1/13/2009](file:///p:\pprever\2009-10\3229_20090113.docx)

**A** **BILL**

TO AMEND SECTION 16‑17‑420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF DISTURBING SCHOOLS, SO AS TO PROVIDE THAT FIRST AND SECOND OFFENSE VIOLATIONS MUST BE TRIED IN MAGISTRATES COURT AND THIRD AND SUBSEQUENT OFFENSES MUST BE TRIED IN GENERAL SESSIONS COURT.

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

SECTION 1. Section 16‑17‑420 of the 1976 Code is amended to read:

“Section 16‑17‑420. (A) It ~~shall be~~is unlawful for a person:

(1) ~~For any person~~ wilfully or unnecessarily to:

(a) ~~to~~interfere with or to disturb in any way or in any place the students or teachers of ~~any~~a school or college in this State~~,~~;

(b) ~~to~~loiter about ~~such~~a school or college premises; or

(c) ~~to~~act in an obnoxious manner ~~thereon~~on a school or college premises; or

(2) ~~For any person~~to ~~(a)~~enter upon ~~any such~~a school or college premises or ~~(b)~~loiter around the premises, except on business, without the permission of the principal or president in charge.

(B) ~~Any~~A person ~~violating any of~~who violates the provisions of ~~this section shall be~~subsection (A)(1) or (2) is guilty of a misdemeanor and, ~~on~~upon conviction~~thereof~~, ~~shall pay a fine of~~ must be fined not less than one hundred dollars nor more than one thousand dollars or ~~be~~imprisoned ~~in the county jail for~~not less than thirty days nor more than ninety days.

(C) Notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, and 22‑3‑550, a first or second offense must be tried exclusively in magistrates court. Third or subsequent offenses must be tried in the court of general sessions.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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