**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4818**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.E. Smith, Funderburk and Thayer

Document Path: l:\council\bills\ms\7391ahb14.docx

Companion/Similar bill(s): 813

Introduced in the House on March 4, 2014

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

Summary: Public library

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/4/2014 House Introduced and read first time ([House Journal‑page 6](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/4/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 6](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/4/2014 House Member(s) request name added as sponsor: Funderburk

3/5/2014 House Member(s) request name added as sponsor: Thayer

**VERSIONS OF THIS BILL**

[3/4/2014](file:///p:\pprever\2013-14\4818_20140304.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY AN EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE LIBRARY NOT TO DO SO OR WITHOUT HAVING BEEN WARNED FAILS AND REFUSES, WITHOUT GOOD CAUSE OR GOOD EXCUSE, TO LEAVE IMMEDIATELY UPON BEING ORDERED OR REQUESTED TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, AND TO PROVIDE 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. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑625. (A) A person who, without legal cause or good excuse, enters a public library after having been warned by an employee, agent, or representative of the library not to do so or without having been warned, fails and refuses, without good cause or good excuse, to leave immediately upon being ordered or requested to do so by an employee, agent, or representative of the library 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.

(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. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

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