**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3008**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chumley, Hixon, McCravy, Leber, Lawson, Burns, Taylor, Pace, Nutt, Haddon, Beach, Yow, Oremus, Landing and Thayer

Companion/Similar bill(s): 3442

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Introduced in the House on January 10, 2023

Currently residing in the House

Summary: Stand Your Ground, religious services

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 House Introduced and read first time (House Journal‑page 39)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 39)

 1/12/2023 House Member(s) request name added as sponsor: Yow

 1/19/2023 House Member(s) request name added as sponsor: Oremus

 2/1/2023 House Member(s) request name added as sponsor: Landing

 2/2/2023 House Member(s) request name added as sponsor: Thayer

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**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3008_20221208.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 16-11-420, relating to Intent and findings of the General Assembly relating to the article commonly referred to as Stand your ground, so as to include places of worship; by amending Section 16-11-430, relating to Definitions for purposes of Stand your ground provisions, so as to define the term “place of worship”; and by amending Section 16-11-440, relating to the Presumption of reasonable fear of imminent peril when using deadly force against another unlawfully entering a residence, occupied vehicle or place of business, so as to include places of worship in the purview of the statute.

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

SECTION 1. Section 16‑11‑420 of the S.C. Code is amended to read:

 Section 16‑11‑420. (A) It is the intent of the General Assembly to codify the common law Castle Doctrine which recognizes that a person's home is his castle and to extend the doctrine to include an occupied vehicle and the person's place of business or worship.

 (B) The General Assembly finds that it is proper for law‑abiding citizens to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil action for acting in defense of themselves and others.

 (C) The General Assembly finds that Section 20, Article I of the South Carolina Constitution guarantees the right of the people to bear arms, and this right shall not be infringed.

 (D) The General Assembly finds that persons residing in or visiting this State have a right to expect to remain unmolested and safe within their homes, businesses, places of worship, and vehicles.

 (E) The General Assembly finds that no person or victim of crime should be required to surrender his personal safety to a criminal, nor should a person or victim be required to needlessly retreat in the face of intrusion or attack.

SECTION 2. Section 16‑11‑430 of the S.C. Code is amended to read:

 Section 16‑11‑430. As used in this article, the term:

 (1) “Dwelling” means a building or conveyance of any kind, including an attached porch, whether the building or conveyance is temporary or permanent, mobile or immobile, which has a roof over it, including a tent, and is designed to be occupied by people lodging there at night.

 (2) “Great bodily injury” means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

 (3) “Residence” means a dwelling in which a person resides either temporarily or permanently or is visiting as an invited guest.

 (4) “Vehicle” means a conveyance of any kind, whether or not motorized, which is designed to transport people or property.

 (5) “Place of worship” means a church or other location where religious services, assemblies, or gatherings are held and includes worship facilities or buildings including the surrounding grounds, premises, or other property of a worship building or facility used in connection with the operation or functioning of those facilities or buildings.

SECTION 3. Section 16‑11‑440(C) of the S.C. Code is amended to read:

 (C) A person who is not engaged in an unlawful activity and who is attacked in another place where he has a right to be, including, but not limited to, his place of business or worship, has no duty to retreat and has the right to stand his ground and meet force with force, including deadly force, if he reasonably believes it is necessary to prevent death or great bodily injury to himself or another person or to prevent the commission of a violent crime as defined in Section 16‑1‑60.

SECTION 4. This act takes effect upon approval by the Governor.

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