

Session 116 - (2005-2006)

S 1131 General Bill, By Leatherman and Bryant

Similar (H 4301)

Summary: Protection of Persons and Property Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6, CHAPTER 11, TITLE 16 SO AS TO ENACT THE "PROTECTION OF PERSONS AND PROPERTY ACT", TO DEFINE THE TERMS "DWELLING", "GREAT BODILY INJURY", "RESIDENCE", AND "VEHICLE", TO AUTHORIZE THE LAWFUL USE OF DEADLY FORCE AGAINST AN INTRUDER OR ATTACKER IN A PERSON'S DWELLING, RESIDENCE, OR OCCUPIED VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE EXCEPTIONS, TO PROVIDE THAT THERE IS NO DUTY TO RETREAT IF THE PERSON IS IN A PLACE WHERE HE HAS A RIGHT TO BE, INCLUDING THE PERSON'S PLACE OF BUSINESS, AND THE USE OF DEADLY FORCE IS NECESSARY TO PREVENT DEATH, GREAT BODILY INJURY, OR THE COMMISSION OF A VIOLENT CRIME, AND TO PROVIDE THAT A PERSON WHO LAWFULLY USES DEADLY FORCE IS IMMUNE FROM CRIMINAL PROSECUTION AND CIVIL ACTION AND MAY NOT BE ARRESTED UNLESS PROBABLE CAUSE EXISTS THAT THE DEADLY FORCE USED WAS UNLAWFUL.

02/08/06 Senate Introduced and read first time SJ-7

02/08/06 Senate Referred to Committee on Judiciary SJ-7

02/08/06 Senate Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant