

Session 116 - (2005-2006)

H*4301 (Rat #0412, Act #0379 of 2006) General Bill, By G.M. Smith, Bailey, Harrison, Altman, Vaughn, G.R. Smith, Battle, Kirsh, M.A. Pitts, Coates, Moody-Lawrence, Toole, Vick, Littlejohn, Sandifer, Owens, Ceips, Funderburk, Weeks, Rice, Simrill, Chellis, Viers and Duncan

Similar (S 1131)

Summary: Protection of Persons and Property Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO 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; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO LIST OF VIOLENT CRIMES, SO AS TO ADD TRAFFICKING IN COCAINE BASE; AND BY ADDING SECTION 16-23-415 SO AS TO CREATE THE OFFENSE OF TAKING A FIREARM OR OTHER WEAPON FROM THE PERSON OF A LAW ENFORCEMENT OFFICER AND TO PROVIDE A PENALTY. - ratified title

- 11/16/05 House Prefiled**
- 11/16/05 House Referred to Committee on Judiciary**
- 01/10/06 House Introduced and read first time HJ-22**
- 01/10/06 House Referred to Committee on Judiciary HJ-22**
- 01/25/06 House Member(s) request name added as sponsor: Owens**
- 01/31/06 House Member(s) request name added as sponsor: Ceips**
- 02/01/06 House Committee report: Favorable Judiciary HJ-7**
- 02/02/06 House Member(s) request name added as sponsor: Funderburk, Weeks**
- 02/02/06 Scrivener's error corrected**
- 02/07/06 House Member(s) request name added as sponsor: Rice, Simrill, Chellis, Viers**
- 02/07/06 House Debate adjourned until Wednesday, February 8, 2006 HJ-23**
- 02/08/06 House Member(s) request name added as sponsor: Duncan**
- 02/08/06 House Read second time HJ-22**
- 02/08/06 House Roll call Yeas-108 Nays-0 HJ-24**
- 02/09/06 House Read third time and sent to Senate HJ-11**
- 02/09/06 Senate Introduced and read first time SJ-8**
- 02/09/06 Senate Referred to Committee on Judiciary SJ-8**
- 02/09/06 Senate Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant**
- 05/24/06 Senate Polled out of committee Judiciary SJ-16**
- 05/24/06 Senate Committee report: Favorable with amendment Judiciary SJ-16**
- 05/25/06 Senate Amended SJ-72**
- 05/25/06 Senate Read second time SJ-72**
- 05/31/06 Senate Amended SJ-131**
- 05/31/06 Senate Read third time and returned to House with amendments SJ-131**
- 06/01/06 House Debate adjourned on amendments HJ-34**
- 06/01/06 House Senate amendment amended HJ-180**
- 06/01/06 House Returned to Senate with amendments HJ-180**
- 06/01/06 Senate Concurred in House amendment and enrolled SJ-15**
- 06/07/06 Ratified R 412**
- 06/09/06 Signed By Governor**
- 06/20/06 Copies available**
- 06/20/06 Effective date 06/09/06**
- 06/23/06 Act No. 379**