**South Carolina General Assembly**

118th Session, 2009-2010

**S. 172**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cleary

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Introduced in the Senate on January 13, 2009

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

Summary: Assault and battery with a taser

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Judiciary**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑152

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑152

1/23/2009 Senate Referred to Subcommittee: Hutto (ch), Rose, Shoopman

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\172_20081210.docx)

**A** **BILL**

TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING SECTION 16‑3‑637, TO CREATE THE OFFENSE OF ASSAULT WITH A TASER AND ASSAULT AND BATTERY WITH A TASER.

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

SECTION 1. Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑637. (A) A person is guilty of assault with a taser if the person causes another person to fear immediate harm by displaying or brandishing a taser in a threatening manner. In addition to the penalties for assault, a person convicted of assault with a taser shall be fined not more than one thousand dollars or imprisoned for not more than three years, or both.

(B) A person is guilty of assault and battery with a taser if the person causes another person to fear immediate harm by displaying or brandishing a taser in a threatening manner, and causes physical harm to the other person. In addition to the penalties for assault and battery, a person convicted of assault and battery with a taser shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned for not more than five years, or both.

(C) For purposes of this section, ‘taser’ means any mechanism that is:

(1) designed to emit an electronic, magnetic, or other type of charge or shock through the use of a projectile; and

(2) used for the purpose of temporarily incapacitating a person.”

SECTION 2. This act takes effect upon approval by the Governor.

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