**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4590**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bannister, Bales, Pinson, Hamilton, G.R. Smith, Stringer and Wylie

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Introduced in the House on February 17, 2010

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

Summary: Library

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/17/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑213

2/17/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑213

**VERSIONS OF THIS BILL**

[2/17/2010](file:///p:\pprever\2009-10\4590_20100217.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 OF THE LIBRARY OR HIS AGENT OR REPRESENTATIVE 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 OF THE LIBRARY OR HIS AGENT OR REPRESENTATIVE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, MUST BE FINED NOT MORE THAN TWO HUNDRED DOLLARS OR BE IMPRISONED NOT MORE THAN THIRTY DAYS, TO PROVIDE A MUNICIPAL COURT OR MAGISTRATE COURT MAY HAVE JURISDICTION OVER A VIOLATION, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS BEING IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR 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 of the library or his agent or representative 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 of the library or his agent or representative is guilty of a misdemeanor and, on conviction, must be fined not more than two hundred dollars or be imprisoned not more than thirty days.

(B) A municipal court or magistrate may try and determine criminal cases involving violations of this section occurring within the municipality or magisterial district in which an alleged violation occurred. A peace officer of this state or a subdivision of this state shall enforce the provisions of this section within their respective jurisdictions.

(C) The provisions of this section must be construed as being in addition to, and not as superseding, another statute relating to trespass or 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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