**South Carolina General Assembly**

118th Session, 2009-2010

**S. 7**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McConnell and Elliott

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Introduced in the Senate on January 13, 2009

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

Summary: Violent crimes

**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)‑75

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑75

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

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\7_20081210.docx)

**A** **BILL**

TO AMEND CHAPTER 1, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FELONIES AND MISDEMEANORS, BY ADDING SECTION 16‑1‑60, SO AS TO INCLUDE MANUFACTURING, DISTRIBUTING, OR POSSESSION WITH THE INTENT TO DISTRIBUTE A CONTROLLED SUBSTANCE AND MANUFACTURING, DISTRIBUTING, OR POSSESSION WITH THE INTENT TO DISTRIBUTE METHAMPHETAMINE, COCAINE BASE, AND OTHER CONTROLLED SUBSTANCES AS VIOLENT CRIMES.

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

SECTION 1. Chapter 1, Title 16 of the 1976 Code is amended to read:

“Section 16‑1‑60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16‑3‑10 ); criminal sexual conduct in the first and second degree (Sections 16‑3‑652 and 16‑3‑653); criminal sexual conduct with minors, first and second degree (Section 16‑3‑655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16‑3‑656); assault and battery with intent to kill (Section 16‑3‑620); kidnapping (Section 16‑3‑910); voluntary manslaughter (Section 16‑3‑50); armed robbery (Section 16‑11‑330(A)); attempted armed robbery (Section 16‑11‑330(B)); carjacking (Section 16‑3‑1075); ~~drug trafficking as defined in Section 44‑53‑370(e) or trafficking cocaine base as defined in Section 44‑53‑375(C); manufacturing or trafficking methamphetamine as defined in Section 44‑53‑375~~ manufacturing, distributing, trafficking, or possession with the intent to distribute a controlled substance (Section 44‑53‑370); manufacturing, distributing, trafficking, or possession with the intent to distribute methamphetamine, cocaine base, and other controlled substances (Section 44‑53‑375); arson in the first degree (Section 16‑11‑110(A)); arson in the second degree (Section 16‑11‑110(B)); burglary in the first degree (Section 16‑11‑311); burglary in the second degree (Section 16‑11‑312(B)); engaging a child for a sexual performance (Section 16‑3‑810); homicide by child abuse (Section 16‑3‑85(A)(1)); aiding and abetting homicide by child abuse (Section 16‑3‑85(A)(2)); inflicting great bodily injury upon a child (Section 16‑3‑95(A)); allowing great bodily injury to be inflicted upon a child (Section 16‑3‑95(B)); criminal domestic violence of a high and aggravated nature (Section 16‑25‑65); abuse or neglect of a vulnerable adult resulting in death (Section 43‑35‑85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43‑35‑85(E)); accessory before the fact to commit any of the above offenses (Section 16‑1‑40); attempt to commit any of the above offenses (Section 16‑1‑80); and taking of a hostage by an inmate (Section 24‑13‑450). Only those offenses specifically enumerated in this section are considered violent offenses.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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