**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JERRY’S LAW”; TO AMEND SECTION 16‑3‑20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO ADD THE MURDER OF A PERSON SEVENTY YEARS OF AGE OR OLDER UNDER CERTAIN CIRCUMSTANCES TO THE LIST OF STATUTORY AGGRAVATING CIRCUMSTANCES FOR PURPOSES OF THE DEATH PENALTY.

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

SECTION 1. This act may be cited as “Jerry’s Law”.

SECTION 2. Section 16‑3‑20(C)(a) of the 1976 Code, as last amended by Act 101 of 2007, is further amended by adding an appropriately numbered subitem at the end to read:

“( ) The victim of the murder was seventy years of age or older and was particularly vulnerable due to a significant handicap or significant disability, whether mental or physical, and at the time of the murder, the defendant knew or should have known of the handicap or disability.”

SECTION 3. 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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.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 4. This act takes effect upon approval by the Governor.

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