**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4461**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McCoy

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Introduced in the House on January 10, 2012

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

Summary: Nonviolent second degree burglary

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/29/2011 House Prefiled

11/29/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 49](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 49](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[11/29/2011](file:///p:\pprever\2011-12\4461_20111129.docx)

**A** **BILL**

TO AMEND SECTION 17‑25‑45, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIST OF OFFENSES DEFINED AS MOST SERIOUS AND SERIOUS FOR PURPOSES OF TWO AND THREE STRIKES FOR REPEAT OFFENDERS, SO AS TO ADD NONVIOLENT BURGLARY IN THE SECOND DEGREE TO THE LIST OF OFFENSES DELINEATED AS A SERIOUS OFFENSE FOR PURPOSES OF THREE STRIKES.

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

SECTION 1. Section 17‑25‑45(C)(2)(b) of the 1976 Code, as last amended by Act 289 of 2010, is further amended to read:

“(b) those felonies enumerated as follows:

16‑3‑220 Lynching, Second degree

16‑3‑210(C) Assault and battery by mob,

Second degree

16‑3‑600(B) Assault and battery of a high and

aggravated nature

16‑3‑810 Engaging child for sexual

performance

16‑9‑220 Acceptance of bribes by officers

16‑9‑290 Accepting bribes for purpose of

procuring public office

16‑11‑110(B) Arson, Second degree

16‑11‑312(A)&(B) Burglary, Second degree

16‑11‑380(B) Theft of a person using an

automated teller machine

16‑13‑210(1) Embezzlement of public funds

16‑13‑230(B)(3) Breach of trust with fraudulent

intent

16‑13‑240(1) Obtaining signature or property by

false pretenses

38‑55‑540(3) Insurance fraud

44‑53‑370(e) Trafficking in controlled

substances

44‑53‑375(C) Trafficking in ice, crank, or crack

cocaine

44‑53‑445(B)(1)&(2) Distribute, sell, manufacture, or

possess with intent to distribute

controlled substances within

proximity of school

56‑5‑2945 Causing death by operating vehicle

while under influence of drugs or

alcohol; and”

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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