**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑760 SO AS TO ENACT THE “KNOCKOUT GAME PREVENTION ACT”, TO PROVIDE THAT A PERSON WHO COMMITS AN ASSAULT AND BATTERY UPON ANOTHER PERSON WITH INTENT TO CAUSE THAT PERSON TO LOSE CONSCIOUSNESS IS GUILTY OF THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE AND MUST BE PUNISHED AS PROVIDED FOR THAT OFFENSE, TO PROVIDE THAT A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION MAY BE TRIED AS AN ADULT UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT A CONVICTION PURSUANT TO THIS SECTION IS CONSIDERED EVIDENCE OF CRIMINAL GANG ACTIVITY; AND TO AMEND SECTION 16‑8‑230, RELATING TO DEFINITIONS FOR PURPOSES OF THE CRIMINAL GANG PREVENTION ACT, SO AS TO REVISE THE DEFINITION OF “CRIMINAL GANG ACTIVITY” TO INCLUDE AN OFFENSE PURSUANT TO THE KNOCKOUT GAME PREVENTION ACT.

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

SECTION 1. This act may be cited as the “Knockout Game Prevention Act”.

SECTION 2. Article 7, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑760. (A) A person who commits an assault and battery upon another person with intent to cause that person to lose consciousness is guilty of the felony offense of assault and battery of a high and aggravated nature and must be punished, upon conviction, as provided in Section 16‑3‑600(B). In addition, a person who violates the provisions of this section who is under the age of seventeen, in the discretion of the judge, may be transferred to general sessions court to be tried as an adult.

(B) A conviction for a violation of the provisions of this section is considered to be evidence of criminal gang activity as defined in Section 16‑8‑230.”

SECTION 3. Section 16‑8‑230(4) of the 1976 Code, as added by Act 82 of 2007, is amended by adding an appropriately lettered subitem at the end to read:

“( ) assault and battery of high and aggravated nature pursuant to Section 16‑3‑760, the Knockout Game Prevention Act.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑