**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “DEFENSE AGAINST PORCH PIRATES ACT”, BY ADDING SECTION 16‑13‑182 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO STEAL PACKAGES DELIVERED TO A DWELLING’S PORCH, STEPS, OR THE VICINITY OF ANY ENTRANCE OR EXIT OF A DWELLING, TO PROVIDE THAT SUCH AN OFFENSE IS THE FELONY OF PACKAGE THEFT, TO PROVIDE THAT THE PENALTY IS IN ADDITION TO ANY PENALTIES FOR OTHER OFFENSES WHICH MAY BE PROVIDED BY LAW, AND TO DEFINE THE TERM “DWELLING”.

SECTION 1. This act may be cited as the “Defense Against Porch Pirates Act”.

SECTION 2. Article 1, Chapter 13, Title 16 of the 1976 Code is amended by adding:

“Section 16‑13‑182. (A) Notwithstanding another provision of law, it is unlawful for a person to steal a package delivered to a dwelling’s porch, steps, or the vicinity of any entrance or exit of a dwelling. A person who violates the provisions of this section is guilty of the felony offense of package theft and, upon conviction, must be fined not more than five thousand dollars and be imprisoned for a mandatory minimum of five years, no part of which may be suspended nor probation granted.

(B) The penalty provided in subsection (A) is in addition to any other penalties for other offenses which may be provided by law. A person convicted of a violation of the provisions of this section is not eligible to participate in any type of pretrial intervention program.

(C) For purposes of this section, the term ‘dwelling’ means any house, outhouse, apartment, building, erection, shed or box in which there sleeps a proprietor, tenant, watchman, clerk, laborer or person who lodges there with a view to the protection of property, and of such a dwelling or of any other dwelling all houses, outhouses, buildings, sheds and erections which are within two hundred yards of it and are appurtenant to it or to the same establishment of which it is an appurtenance are deemed parcels. ‘Dwelling’ also means the living quarters of a building which are used or normally used for sleeping, living, or lodging by a person.”

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

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