**A** **BILL**

TO AMEND SECTION 16‑17‑420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES INVOLVING DISTURBING SCHOOLS, SO AS TO RESTRUCTURE THE OFFENSES.

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

SECTION 1. Section 16‑17‑420 of the 1976 Code, as last amended by Act 182 of 2018, is further amended to read:

“Section 16-17-420. ~~(A)~~ ~~It is unlawful for a person who is not a student to wilfully interfere with, disrupt, or disturb the normal operations of a school or college in this State by:~~

~~(1)~~ ~~entering upon school or college grounds or property without the permission of the principal or president in charge;~~

~~(2)~~ ~~loitering upon or about school or college grounds or property, after notice is given to vacate the grounds or property and after having reasonable opportunity to vacate;~~

~~(3)~~ ~~initiating a physical assault on, or fighting with, another person on school or college grounds or property;~~

~~(4)~~ ~~being loud or boisterous on school or college grounds or property after instruction by school or college personnel to refrain from the conduct;~~

~~(5)~~ ~~threatening physical harm to a student or a school or college employee while on school or college grounds or property; or~~

~~(6)~~ ~~threatening the use of deadly force on school or college property or involving school or college grounds or property when the person has the present ability, or is reasonably believed to have the present ability, to carry out the threat.~~

~~(B)~~ ~~For the purpose of this section, ‘person who is not a student’ means a person who is not enrolled in, or who is suspended or expelled from, the school or college that the person interferes with, disrupts, or disturbs at the time the interference, disruption, or disturbance occurs.~~

~~(C)~~ ~~Any person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than one year, or both.~~

(A) It is unlawful:

(1) for any person wilfully or unnecessarily to:

(a) interfere with or to disturb in any way or in any place the students or teachers of any school or college in this State;

(b) loiter about such school or college premises; or

(c) act in an obnoxious manner on school or college premises; or

(2) for any person to:

(a) enter upon any such school or college premises; or

(b) loiter around the premises, except on business, without the permission of the principal or president in charge.

(B) Any person violating any of the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or be imprisoned in the county jail for not more than ninety days.

(C) The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section. If the person is a child, as defined by Section 63-19-20, jurisdiction must remain vested in the family court.”

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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