**A** **BILL**

TO AMEND SECTION 16‑7‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES DURING A STATE OF EMERGENCY, SO AS TO PROVIDE THAT THE FORMER FELONY LOOTING IS NOW CONSIDERED BURGLARY IN THE FIRST DEGREE AND THE PENALTY IS THE SAME AS FOR BURGLARY IN THE FIRST DEGREE.

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

SECTION 1. Section 16‑7‑10(A)(2) of the 1976 Code is amended to read:

“(2)(a) enter into the property of another, without lawful authority and with criminal intent;

(b) damage the property of another; or

(c) take possession or otherwise disturb the property of another in any manner.

A person ~~violating~~ who violates a provision of this item is guilty of the felony of ~~looting~~ burglary in the first degree and, upon conviction, must be ~~fined or imprisoned, or both, in the discretion of the court~~ punished as provided for burglary in the first degree pursuant to Section 16‑11‑311(B). The court must order restitution pursuant to Section 17‑25‑322;”

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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil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this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.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

‑‑‑‑XX‑‑‑‑