**A** **BILL**

TO AMEND SECTION 16‑3‑615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPOUSAL SEXUAL BATTERY, SO AS TO DELETE PROVISIONS REQUIRING REPORTING TO LAW ENFORCEMENT WITHIN THIRTY DAYS AND PROVIDING THAT THE SECTION IS NOT APPLICABLE TO PERSONS UNDER A CERTAIN AGE.

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

SECTION 1. Section 16‑3‑615 of the 1976 Code is amended to read:

“Section 16‑3‑615. (A) Sexual battery, as defined in Section 16‑3‑651(h), when accomplished through use of aggravated force, defined as the use or the threat of use of a weapon or the use or threat of use of physical force or physical violence of a high and aggravated nature, by one spouse against the other spouse if they are living together, constitutes the felony of spousal sexual battery and, upon conviction, a person must be imprisoned not more than ten years.

(B) ~~The offending spouse’s conduct must be reported to appropriate law enforcement authorities within thirty days in order for that spouse to be prosecuted for this offense.~~

~~(C)~~ The provisions of Section 16‑3‑659.1 apply to any trial brought under this section.

~~(D)~~ ~~This section is not applicable to a purported marriage entered into by a male under the age of sixteen or a female under the age of fourteen.~~”

SECTION 2. This act takes effect upon approval by the Governor.

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