**South Carolina General Assembly**

125th Session, 2023-2024

**S. 114**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree and Turner

Companion/Similar bill(s): 4894

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Judiciary**

Summary: Enhanced Penalties

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2022 Senate Prefiled

11/30/2022 Senate Referred to Committee on **Judiciary**

1/10/2023 Senate Introduced and read first time ([Senate Journal‑page 65](h:\sj\20230110.docx))

1/10/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 65](h:\sj\20230110.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=114&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/01/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/114_20221201.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 16‑3‑605 so as to CREATE AN ENHANCED PENALTY FOR CONVICTIONS BY PERSONS UNDER SECTION 16‑3‑600 AGAINST AN EDUCATIONAL PROFESSIONAL OR LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

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

SECTION 1. Article 7, Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16‑3‑605. (A) If a person is convicted of an offense as defined in Section 16‑3‑600, and the offense was committed against an educational professional or law enforcement officer during the performance of their official duties, he must be imprisoned up to an additional five years, in addition to the punishment provided for the principal crime.

(B) The court may impose this sentence to run consecutively or concurrently.

(C) The penalty provided under this section may not be suspended nor probation granted.

(D) The additional punishment may not be imposed unless the indictment alleged as a separate count that the offense was committed against an educational professional or law enforcement officer who was acting at the time of the offense in their official capacity and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of a crime as defined in Section 16 3 600.

(E) For the purpose of this section “educational professional” is defined as a licensed teacher, principal, administrator or other educational provider who works on school grounds.

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

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