**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4375**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Burns

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Introduced in the House on April 26, 2023

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

Summary: Trespassing, publicly owned water utility property

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/26/2023 House Introduced and read first time (House Journal‑page 15)

 4/26/2023 House Referred to Committee on **Judiciary** (House Journal‑page 15)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4375&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[04/26/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4375_20230426.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS by adding section 16‑11‑735 so as to PROVIDE GRADUATED PENALTIES FOR TRESPASSING UPON THE GROUNDS OR PROPERTY OF A PUBLICLY OWNED WATER UTILITY.

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

SECTION 1. Article 7, Chapter 11, Title 16 of the S.C. Code is amended by adding:

 Section 16‑11‑735. (A) It is unlawful for a person to wilfully trespass upon the grounds or property of a publicly owned water utility. A person who violates the provisions of this section is guilty of a misdemeanor triable in magistrates or municipal court, notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, and 14‑25‑65, and, upon conviction, for a:

 (1) first offense, must be fined not less than two hundred dollars nor more than five hundred dollars;

 (2) second offense, must be fined not less than five hundred dollars nor more than one thousand dollars; and

 (3) third and subsequent offense, must be fined not less than one thousand dollars.

 (B) The provisions of this section must be construed as in addition to, and not superseding, another statute relating to trespass, trespass with injury to property, or other unlawful entry on lands of another which may subject the violator to punishment by imprisonment or a greater fine.

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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.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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