**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4894**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope, Hiott, Felder and B. Newton

Companion/Similar bill(s): 114

Document Path: LC-0227AHB24.docx

Introduced in the House on January 18, 2024

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

Summary: Assault and Battery, enhanced penalties regarding certain victims

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/18/2024 House Introduced and read first time (House Journal‑page 13)

 1/18/2024 House Referred to Committee on **Judiciary** (House Journal‑page 13)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4894&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/18/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4894_20240118.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 ASSAULT AND BATTERY CONVICTIONS 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 his official duties, the person 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 his 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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