**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3078**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope, Bryant, Caskey, Thayer, V.S. Moss, Bailey, Young, Wooten, Morgan, Ligon, Yow, Erickson, Bradley, Mace, Davis, Huggins and Forrest

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Introduced in the House on January 8, 2019

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

Summary: Assault and battery

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 77](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 77](file:///h:\hj\20190108.docx))

1/16/2019 House Member(s) request name added as sponsor: Erickson, Bradley

1/22/2019 House Member(s) request name added as sponsor: Mace

1/24/2019 House Member(s) request name added as sponsor: Davis

1/31/2019 House Member(s) request name added as sponsor: Huggins, Forrest

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3078_20181218.docx)

**A** **BILL**

TO AMEND SECTION 16‑3‑600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO ADD THAT ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE OCCURS WHEN A PERSON INJURES A FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT OFFICER OR CORRECTIONS OFFICER, A FIREFIGHTER, OR AN EMERGENCY MEDICAL SERVICES (EMS) WORKER IN THE DISCHARGE OF OR BECAUSE OF THEIR OFFICIAL DUTIES.

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

SECTION 1. Section 16‑3‑600(B) of the 1976 Code is amended to read:

“(B)(1) A person commits the offense of assault and battery of a high and aggravated nature if the person unlawfully injures another person, and:

(a) great bodily injury to another person results; ~~or~~

(b) the act is accomplished by means likely to produce death or great bodily injury; or

(c) the person injured is a federal, state, or local law enforcement officer or corrections officer, including a county or municipal corrections officer, a firefighter, or an emergency medical services (EMS) worker, during or because of the performance of his official duties.

(2) A person who violates this subsection is guilty of a felony~~,~~ and, upon conviction, must be imprisoned for not more than twenty years.

(3) Assault and battery of a high and aggravated nature is a lesser‑included offense of attempted murder, as defined in Section 16‑3‑29.”

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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