**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3426**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Garvin

Document Path: l:\council\bills\bh\7311ahb21.docx

Companion/Similar bill(s): 3489

Introduced in the House on January 12, 2021

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

Summary: Citizen's arrest

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 191](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 191](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3426&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3426_20201209.docx)

**A** **BILL**

TO AMEND SECTION 17‑13‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIRCUMSTANCES WHEN CITIZENS MAY ARREST, SO AS TO LIMIT THE CIRCUMSTANCES IN WHICH A CITIZEN MAY ARREST, INCLUDING TAKING THE LIFE OF THE PERSON, TO ARREST OF A PERSON WHO HAS ENTERED A DWELLING HOUSE WITHOUT EXPRESS OR IMPLIED PERMISSION.

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

SECTION 1. Section 17‑13‑20 of the 1976 Code is amended to read:

“Section 17‑13‑20. A citizen may arrest a person in the nighttime by efficient means as the darkness and the probability of escape render necessary, even if the life of the person should be taken, when the person~~:~~

~~(a)~~ ~~has committed a felony;~~

~~(b)~~ has entered a dwelling house without express or implied permission~~;~~

~~(c)~~ ~~has broken or is breaking into an outhouse with a view to plunder;~~

~~(d)~~ ~~has in his possession stolen property; or~~

~~(e)~~ ~~being under circumstances which raise just suspicion of his design to steal or to commit some felony, flees when he is hailed~~.”

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

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