**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3298**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

Document Path: l:\council\bills\bh\7341ahb21.docx

Introduced in the House on January 12, 2021

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

Summary: Immunity from prosecution

**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 149](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 149](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3298&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3298_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑460 SO AS TO PROVIDE THAT AN ORDER CONCERNING IMMUNITY FROM PROSECUTION PURSUANT TO THE PROTECTION OF PERSONS AND PROPERTY ACT IS IMMEDIATELY APPEALABLE AND TO PROVIDE THAT A DEFENDANT WHO DOES NOT APPEAL THE ORDER IMMEDIATELY MAY APPEAL THE DENIAL AFTER CONVICTION AND SENTENCING.

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

SECTION 1. Article 6, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑460. An order concerning a defendant’s motion for immunity from prosecution pursuant to the provisions of this article is immediately appealable. A defendant who does not immediately appeal an order denying a request for immunity has nevertheless preserved the issue for appeal after conviction and sentencing.”

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

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