**A** **BILL**

TO AMEND SECTION 16‑3‑600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO INCLUDE WHEN A PERSON INTENTIONALLY INJURES A VICTIM BASED ON CERTAIN DELINEATED CHARACTERISTICS IN THE PURVIEW OF THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE.

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 victim injured was intentionally selected, in whole or in part because of the person’s belief or perception regarding the victim’s race, color, creed, religion, sex, gender, age, national origin, ancestry, sexual orientation, physical or mental disability, or homelessness, whether or not the perception is correct, and the trier of fact determines beyond a reasonable doubt that the victim was intentionally selected based on the above delineated characteristics.

(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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action,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of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.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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