**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5208**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Brewer and Murphy

Companion/Similar bill(s): 3018

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Introduced in the House on March 5, 2024

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

Summary: Sexual battery, spousal

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/5/2024 House Introduced and read first time (House Journal‑page 25)

 3/5/2024 House Referred to Committee on **Judiciary** (House Journal‑page 25)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5208&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/05/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5208_20240305.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 16-3-615, relating to Spousal sexual battery, so as to DELETE PROVISIONS REQUIRING REPORTING TO LAW ENFORCEMENT WITHIN THIRTY DAYS AND PROVIDING THAT THE SECTION IS NOT APPLICABLE TO PERSONS UNDER A CERTAIN AGE.

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

SECTION 1. Section 16‑3‑615 of the S.C. Code is amended to read:

 Section 16‑3‑615. (A) Sexual battery, as defined in Section 16‑3‑651(h), when accomplished through use of aggravated force, defined as the use or the threat of use of a weapon or the use or threat of use of physical force or physical violence of a high and aggravated nature, by one spouse against the other spouse if they are living together, constitutes the felony of spousal sexual battery and, upon conviction, a person must be imprisoned not more than ten years.

 (B) The offending spouse’s conduct must be reported to appropriate law enforcement authorities within thirty days in order for that spouse to be prosecuted for this offense.

 (C) The provisions of Section 16‑3‑659.1 apply to any trial brought under this section.

 (D) This section is not applicable to a purported marriage entered into by a male under the age of sixteen or a female under the age of fourteen.

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

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