

South Carolina General Assembly
125th Session, 2023-2024

H. 3035

STATUS INFORMATION

General Bill

Sponsors: Reps. Pope, Wooten and B. Newton

Document Path: LC-0012AHB23.docx

Introduced in the House on January 10, 2023

Currently residing in the House

Summary: Terrorism

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/8/2022	House	Prefiled
12/8/2022	House	Referred to Committee on Judiciary
1/10/2023	House	Introduced and read first time (House Journal-page 46)
1/10/2023	House	Referred to Committee on Judiciary (House Journal-page 46)
1/17/2023	House	Member(s) request name added as sponsor: Nutt
1/18/2023	House	Member(s) request name removed as sponsor: Nutt

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A BILL

11 TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER
12 8, TITLE 16 ENTITLED “TERRORISM” SO AS TO PROVIDE FOR THE OFFENSE OF
13 FURTHERING TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND TO PROVIDE
14 A PENALTY; TO CREATE THE OFFENSE OF MATERIAL OR FINANCIAL SUPPORT OF AN
15 ACT OF TERRORISM OR CONCEALMENT OF THE ACTIONS OR PLANS OF ANOTHER TO
16 CARRY OUT AN ACT OF TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND
17 TO PROVIDE A PENALTY; AND TO PROVIDE FOR THE SEIZURE AND FORFEITURE OF
18 REAL AND PERSONAL PROPERTY USED IN CONNECTION WITH AN OFFENSE
19 CONTAINED IN THE ARTICLE; AND BY AMENDING SECTION 16-23-710, RELATING TO
20 OFFENSES INVOLVING HANDGUNS, SO AS TO AMEND THE DEFINITION OF
21 “TERRORISM”.

22
23 Be it enacted by the General Assembly of the State of South Carolina:

24
25 SECTION 1. Chapter 8, Title 16 of the S.C. Code is amended by adding:

26
27 Article 5

28
29 Terrorism

30
31 Section 16-8-510. (A) As used in this section, the term “act of violence” means:

32 (1) an offense defined as a “violent crime” pursuant to the provisions of Section 16-1-60; or

33 (2) any other felony offense provided by law that includes an assault, or use of violence or force
34 against another person.

35 (B) Notwithstanding another provision of law, a person commits the offense of furthering terrorism
36 if the person makes significant plans or takes actions toward the commission of an act of violence with
37 the intent to commit an act of terrorism as defined in Section 16-23-710.

38 (C) A person who violates the provisions of this section is guilty of a felony and, upon conviction,
39 must be imprisoned for not more than thirty years. A violation of this section is considered a separate
40 offense from another underlying offense and must be served consecutively to any sentence imposed on
41 an underlying offense.

42
43 Section 16-8-520. (A) A person commits the offense of material or financial support of an act of

1 terrorism or concealment of the actions or plans of another to carry out an act of terrorism who
2 knowingly:

3 (1) raises, solicits, or collects material support or resources intending that the material support or
4 resources be used, in whole or in part, to plan, prepare, carry out, or avoid apprehension for committing
5 an act of terrorism pursuant to the provisions of this article or Article 7, Chapter 23, against the United
6 States or its citizens, this State or its citizens, or a political subdivision or any other entity of local
7 government and whose intent is that the material support or resources raised, solicited, or collected will
8 be used to further, finance, equip, or assist another person in committing an act of terrorism as provided
9 herein;

10 (2) provides material support or resources to a person knowing that the person will use that support
11 or resources in whole or in part, to plan, prepare, carry out, facilitate, or avoid apprehension for
12 committing an act of terrorism pursuant to the provisions of this article or Article 7, Chapter 23, against
13 the United States or its citizens, this State or its citizens, or a political subdivision or any other
14 instrumentality of this State or of a local unit of government; or

15 (3) conceals the actions or plans of another person who he knows is engaged in an act of terrorism
16 which is prohibited by the provisions of this article or Article 7, Chapter 23.

17 (B) The term “material support or resources” as used in this section includes, but is not limited to,
18 financial or monetary assets.

19 (C) A person who violates the provisions of this section is guilty of a felony and, upon conviction,
20 must be imprisoned for not more than twenty years.

21
22 Section 16-8-530. All real and personal property of every kind used or intended for use in the course
23 of, derived from, or realized through an offense punishable pursuant to this article is subject to lawful
24 seizure and forfeiture to the State pursuant to the applicable provisions of Section 16-23-770.

25
26 SECTION 2. Section 16-23-710(18) of the S.C. Code is amended to read:

27
28 (18) “Terrorism” includes activities that:

29 (a) involve acts dangerous to human life that are a violation of the criminal laws of this State;

30 (b) appear to be intended to:

31 (i) intimidate or coerce a civilian population;

32 (ii) intimidate or coerce groups within the civilian population based on the group’s race,
33 religion, color, sex, age, national origin, or sexual orientation;

34 (iii) influence the policy of a government by intimidation or coercion; or

35 ~~(iii)~~(iv) affect the conduct of a government by mass destruction, assassination, or
36 kidnapping; and

1 (c) occur primarily within the territorial jurisdiction of this State.

2

3 SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or
4 civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter,
5 discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or
6 amended law, unless the repealed or amended provision shall so expressly provide. After the effective
7 date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full
8 force and effect for the purpose of sustaining any pending or vested right, civil action, special
9 proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the
10 enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or
11 amended laws.

12

13 SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of
14 this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the
15 constitutionality or validity of the remaining portions of this act, the General Assembly hereby
16 declaring that it would have passed this act, and each and every section, subsection, paragraph,
17 subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more
18 other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof
19 may be declared to be unconstitutional, invalid, or otherwise ineffective.

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21 SECTION 5. This act takes effect upon approval by the Governor.

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