

## Session 113 - (1999-2000)

### H\*4684 (Rat #0464, Act #0394 of 2000) General Bill, By Jennings

**Summary:** Extradition procedures, arrest warrants; Courts, Magistrates, Municipal, Judges, Juries and Jurors, Crimes and Offenses

A BILL TO AMEND SECTION 14-7-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCUSING JURORS FOR GOOD CAUSE, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS SUCH ESSENTIAL SERVICES FOR A BUSINESS, COMMERCIAL, OR AGRICULTURAL ENTERPRISE THAT IT WOULD CEASE TO FUNCTION IF THE PERSON WAS REQUIRED TO PERFORM JURY DUTY MAY BE EXCUSED OR TRANSFERRED TO ANOTHER TERM OF COURT BY THE PRESIDING JUDGE; TO AMEND SECTION 14-25-15, RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGES, SO AS TO PROVIDE THE MUNICIPAL COUNCIL MUST NOTIFY COURT ADMINISTRATION OF THE APPOINTEES' NAMES, TO PROVIDE FOR TRAINING PROGRAMS, CERTIFICATION, AND RECERTIFICATION EXAMS FOR MUNICIPAL JUDGES BASED ON STANDARDS ESTABLISHED BY THE SUPREME COURT, TO PROVIDE THE CHIEF JUSTICE OF THE SUPREME COURT SHALL ESTABLISH GUIDELINES TO EXEMPT MUNICIPAL JUDGES FROM THESE REQUIREMENTS BASED UPON EXPERIENCE OR EDUCATION FACTORS, TO ESTABLISH A SCHEDULE FOR PASSING THE EXAMINATION DEPENDING ON THE COUNTY OF RESIDENCE AND THE DATE APPOINTED AS JUDGE, TO PROVIDE FOR TAKING A RECERTIFICATION EXAMINATION EVERY EIGHT YEARS, TO PROVIDE A VACANCY IN THE OFFICE EXISTS IF A MUNICIPAL JUDGE FAILS TO COMPLY WITH THESE REQUIREMENTS, TO PROVIDE A CONTINUING EDUCATION PROGRAM FOR MUNICIPAL JUDGES AS ESTABLISHED BY THE SUPREME COURT, AND TO PROVIDE THE CHIEF JUSTICE OF THE SUPREME COURT SHALL ESTABLISH GUIDELINES TO EXEMPT MUNICIPAL JUDGES FROM ATTENDING CONTINUING EDUCATION PROGRAMS BASED UPON EXPERIENCE OR EDUCATION FACTORS; TO AMEND SECTION 14-25-115, RELATING TO THE OFFICE OF MINISTERIAL RECORDER, SO AS TO AUTHORIZE THE RECORDER TO SET AND ACCEPT BOND; TO ADD SECTION 14-25-180, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS SUCH ESSENTIAL SERVICES TO A BUSINESS, COMMERCIAL, OR AGRICULTURAL ENTERPRISE THAT IT WOULD CEASE TO FUNCTION IF THE PERSON WAS REQUIRED TO PERFORM JURY DUTY MAY BE EXCUSED BY THE MUNICIPAL JUDGE; TO ADD SECTION 17-9-15, SO AS TO PROVIDE FOR THE EXTRADITION OF A PERSON WHO IS CHARGED IN THE REQUESTING STATE WITH COMMITTING AN ACT IN THIS STATE OR A THIRD STATE WHICH INTENTIONALLY RESULTED IN COMMITTING AN OFFENSE IN THE REQUESTING STATE; TO ADD SECTION 17-23-162, SO AS TO PROVIDE THAT THE AFFIANT LISTED ON THE ARREST WARRANT OR THE CHIEF INVESTIGATING OFFICER MUST BE PRESENT TO TESTIFY AT THE PRELIMINARY HEARING OF THE PERSON ARRESTED PURSUANT TO THE WARRANT; AND TO ADD SECTION 22-2-135, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS SUCH ESSENTIAL SERVICES FOR A BUSINESS, COMMERCIAL, OR AGRICULTURAL ENTERPRISE THAT IT WOULD CEASE TO FUNCTION IF THE PERSON WAS REQUIRED TO PERFORM JURY DUTY MAY BE EXCUSED BY THE MAGISTRATE.-AMENDED TITLE

02/24/00	House	Introduced and read first time HJ-11
02/24/00	House	Referred to Committee on Judiciary HJ-11
03/29/00	House	Committee report: Favorable Judiciary HJ-5
04/04/00	House	Read second time HJ-17
04/05/00	House	Read third time and sent to Senate HJ-18
04/06/00	Senate	Introduced and read first time SJ-13
04/06/00	Senate	Referred to Committee on Judiciary SJ-13
05/24/00	Senate	Committee report: Favorable with amendment Judiciary SJ-16
05/25/00	Senate	Amended SJ-85
05/25/00	Senate	Read second time SJ-85
05/25/00	Senate	Ordered to third reading with notice of amendments SJ-85
05/30/00	Senate	Amended SJ-51
05/30/00	Senate	Read third time and returned to House with amendments SJ-51
05/31/00	House	Senate amendment amended HJ-57
05/31/00	House	Returned to Senate with amendments HJ-61
06/01/00	Senate	Non-concurrence in House amendment SJ-24
06/01/00	House	House insists upon amendment and conference committee appointed Reps. Jennings, Maddox and Klauber HJ-41
06/01/00	Senate	Conference committee appointed Sens. Holland, Rankin, Alexander SJ-24
06/21/00	House	Free conference powers granted HJ-18

06/21/00	House	Free conference committee appointed Reps. Jennings, Maddox and Klauber HJ-19
06/21/00	House	Free conference report received and adopted HJ-19
06/21/00	Senate	Free conference powers granted SJ-43
06/21/00	Senate	Free conference committee appointed Sens. Holland, Rankin, Alexander SJ-43
06/21/00	Senate	Free conference report received and adopted SJ-43
06/21/00	Senate	Ordered enrolled for ratification SJ-43
06/22/00		Ratified R 464
08/04/00		Signed By Governor
08/22/00		Effective date 08/04/00
08/22/00		Copies available
08/22/00		Act No. 394