

Session 117 - (2007-2008)

S*0577 (Rat #0403, Act #0346 of 2008) General Bill, By Sheheen

Summary: Jurisdiction of magistrates

AN ACT TO AMEND SECTION 22-3-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION AND PROCEDURE IN MAGISTRATES COURTS IN ASSAULT AND BATTERY AND OTHER BREACH OF THE PEACE OFFENSES, SO AS TO INCREASE THE MAGISTRATES COURTS' JURISDICTION FOR ALL ASSAULT AND BATTERY OFFENSES AGAINST SPORTS OFFICIALS AND COACHES TO PROVIDE FOR A FINE NOT EXCEEDING ONE THOUSAND DOLLARS OR IMPRISONMENT FOR A TERM NOT EXCEEDING SIXTY DAYS, OR BOTH; BY ADDING SECTION 17-15-90 SO AS TO CREATE THE OFFENSE OF WILFUL FAILURE TO APPEAR AND PROVIDE PENALTIES BASED ON THE UNDERLYING CHARGE; TO AMEND SECTION 38-53-50, RELATING TO SURETY RELIEVED ON BOND AND SURRENDER OF A DEFENDANT, SO AS TO PROVIDE PROCEDURES WHEN A BENCH WARRANT MAY BE ISSUED FOR ARREST OF A DEFENDANT AND TO PROVIDE THAT NONPAYMENT OF FEES ALONE DOES NOT WARRANT IMMEDIATE INCARCERATION OF THE DEFENDANT; TO AMEND SECTION 38-53-70, AS AMENDED, RELATING TO THE ISSUANCE OF A BENCH WARRANT AND THE REMISSION OF JUDGMENT, SO AS TO INCREASE THE PERIOD OF TIME BEFORE THE BOND IS FORFEITED FOR FAILURE TO APPEAR FROM THIRTY TO NINETY DAYS FROM THE ISSUANCE OF THE BENCH WARRANT AND TO PROVIDE THAT THE BENCH WARRANT MUST BE AVAILABLE FOR PICKUP BY THE SURETY WITHIN SEVEN DAYS OF ISSUANCE; AND TO AMEND SECTION 22-5-110, RELATING TO MAGISTRATES' POWERS TO CAUSE THE ARREST OF CERTAIN OFFENDERS, SO AS TO REQUIRE THE ISSUANCE OF A COURTESY SUMMONS TO PERSONS CHARGED WITH A MISDEMEANOR OFFENSE REQUIRING A WARRANT SIGNED BY NONLAW ENFORCEMENT PERSONNEL. - ratified title

03/14/07	Senate	Introduced and read first time SJ-8
03/14/07	Senate	Referred to Committee on Judiciary SJ-8
04/03/07	Senate	Referred to Subcommittee: Hawkins (ch), Sheheen, Lourie, Vaughn
03/05/08	Senate	Committee report: Favorable Judiciary SJ-12
03/06/08	Senate	Read second time SJ-5
03/06/08		Scrivener's error corrected
03/12/08	Senate	Read third time and sent to House SJ-21
03/13/08	House	Introduced and read first time HJ-20
03/13/08	House	Referred to Committee on Judiciary HJ-20
05/21/08	House	Committee report: Favorable Judiciary HJ-208
05/28/08	House	Amended HJ-50
05/28/08	House	Read second time HJ-53
05/29/08	House	Read third time and returned to Senate with amendments HJ-10
06/03/08	Senate	House amendment amended SJ-56
06/03/08	Senate	Returned to House with amendments SJ-56
06/05/08	House	Non-concurrence in Senate amendment HJ-65
06/05/08	Senate	Recedes from Senate amendment SJ-35
06/05/08	House	Ordered enrolled for ratification HJ-192
06/10/08		Ratified R 403
06/16/08		Vetoed by Governor
06/25/08	Senate	Veto overridden by originating body Yeas-32 Nays-6
06/25/08	House	Veto overridden Yeas-87 Nays-17
06/30/08		Copies available
06/30/08		Effective date 06/25/08
07/11/08		Act No. 346