

Session 114 - (2001-2002)

S 0687 General Bill, By Ford

Summary: Magistrates, jurisdiction in criminal or civil cases; separate and exclusive territorial jurisdiction repealed; Courts

A BILL TO AMEND CHAPTER 3, TITLE 22, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION AND PROCEDURE IN MAGISTRATES COURT, SO AS TO ADD SECTION 22-3-115 PROVIDING THAT CIVIL ACTIONS OVER WHICH MAGISTRATES HAVE CONCURRENT JURISDICTION MUST BE FILED IN THE OFFICE OF THE CHIEF MAGISTRATE FOR ADMINISTRATIVE PURPOSES OF THE COUNTY AND TO PROVIDE THAT THE CHIEF MAGISTRATE MAY ASSIGN THE CASE TO ANY MAGISTRATE IN THE COUNTY; TO ADD SECTION 22-3-705 PROVIDING THAT ALL CRIMINAL PROCEEDINGS OVER WHICH MAGISTRATES HAVE JURISDICTION MUST BE COMMENCED IN THE OFFICE OF THE CHIEF MAGISTRATE FOR ADMINISTRATIVE PURPOSES OF THE COUNTY AND TO PROVIDE THAT THE CHIEF MAGISTRATE MAY ASSIGN THE CASE TO ANY MAGISTRATE IN THE COUNTY AND THAT CRIMINAL CASES MUST BE TRIED IN THE JURY AREA WHERE THE OFFENSE WAS COMMITTED; TO AMEND SECTION 22-3-920, RELATING TO CHANGE IN VENUE FOR CASES IN MAGISTRATES COURT, SO AS TO DELETE LANGUAGE CONCERNING MAGISTRATES HAVING SEPARATE AND EXCLUSIVE TERRITORIAL JURISDICTION; TO AMEND SECTION 50-13-1990, AS AMENDED, RELATING TO THE JURISDICTION OF MAGISTRATES FOR OFFENSES OF FISHING OR TRESPASSING IN FISH SANCTUARIES, SO AS TO DELETE LANGUAGE CONCERNING MAGISTRATES HAVING SEPARATE AND EXCLUSIVE TERRITORIAL JURISDICTION; AND TO REPEAL SECTIONS 22-3-530 AND 22-3-910, RELATING TO MAGISTRATES HAVING SEPARATE AND EXCLUSIVE TERRITORIAL JURISDICTION.

05/16/01 Senate Introduced and read first time SJ-3

05/16/01 Senate Referred to Committee on Judiciary SJ-3