~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 24, 2010

**H. 4225**

Introduced by Reps. Rutherford, McLeod and Weeks

S. Printed 2/24/10--H.

Read the first time January 12, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4225) to amend Section 16‑3‑1400, as amended, Code of Laws of South Carolina, 1976, relating to definitions for purposes of the article on the victim assistance, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting Section 16‑3‑1400(1)(c), as contained in SECTION 1, page 1, lines 38 and 39, and inserting:

/ (c) does not mean a person who is a magistrates court judge, municipal court judge, circuit court judge, special circuit court judge, or family court judge; and /

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 16‑3‑1400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON THE VICTIM ASSISTANCE PROGRAM, SO AS TO PROVIDE THAT THE TERM “VICTIM SERVICE PROVIDER” DOES NOT INCLUDE MAGISTRATE OR MUNICIPAL JUDGES AND THEIR STAFF.

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

SECTION 1. Section 16‑3‑1400 of the 1976 Code, as last amended by Act 271 of 2008, is further amended to read:

“Section 16‑3‑1400. For the purpose of this article:

(1) ‘victim service provider’ ~~means a person~~:

(a) means a person who is employed by a local government or state agency and whose job duties involve providing victim assistance as mandated by South Carolina law; or

(b) means a person whose job duties involve providing direct services to victims and who is employed by an organization that is incorporated in South Carolina, holds a certificate of authority in South Carolina, or is registered as a charitable organization in South Carolina, and the organization’s mission is victim assistance or advocacy and the organization is privately funded or receives funds from federal, state, or local governments to provide services to victims; and

(c) does not mean a person who is a magistrate or municipal court judge or a member of his staff; and

(2) ‘witness’ means ~~any~~ a person who has been or is expected to be summoned to testify for the prosecution or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not ~~any~~ an action or proceeding ~~has yet been~~ is commenced.”

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

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