**South Carolina General Assembly**

119th Session, 2011-2012

**H. 5068**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Forrester

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Introduced in the House on March 22, 2012

Currently residing in the House Committee on **Judiciary**

Summary: Victims and Witness services

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/22/2012 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj%20archive\2012\03-22-12.docx))

3/22/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 9](file:///h:\hj%20archive\2012\03-22-12.docx))

**VERSIONS OF THIS BILL**

[3/22/2012](file:///p:\pprever\2011-12\5068_20120322.docx)

**A** **BILL**

TO AMEND SECTION 16‑3‑1510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING VICTIM AND WITNESS SERVICES, SO AS TO PROVIDE THAT A SPOUSE, PARENT, CHILD, AND LAWFUL REPRESENTATIVE OF CERTAIN VICTIMS HAVE EQUAL STATUS AND NOTIFICATION RIGHTS, UNLESS THE PERSON IS A SUSPECT IN THE UNDERLYING CRIME.

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

SECTION 1. Section 16‑3‑1510(1) of the 1976 Code is amended to read:

“(1) ‘Victim’ means any individual who suffers direct or threatened physical, psychological, or financial harm as the result of the commission or attempted commission of a criminal offense, as defined in this section. ‘Victim’ also includes any individual’s spouse, parent, child, or the lawful representative of a victim who is:

(a) deceased;

(b) a minor;

(c) incompetent; or

(d) physically or psychologically incapacitated.

An individual’s spouse, parent, child, and lawful representative of a victim have equal status as victims and notification rights, unless the person is a suspect in the underlying crime.

‘Victim’ does not include any individual who is the subject of an investigation for, who is charged with, or who has been convicted of or pled guilty or nolo contendere to the offense in question. ‘Victim’ also does not include any individual, including a spouse, parent, child, or lawful representative, who is acting on behalf of the suspect, juvenile offender, or defendant unless his actions are required by law. ‘Victim’ also does not include any individual who was imprisoned or engaged in an illegal act at the time of the offense.”

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

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