**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4342**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clemmons and G.M. Smith

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Introduced in the House on January 14, 2014

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

Summary: Offenses Against Property

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2013 House Prefiled

12/3/2013 House Referred to Committee on **Judiciary**

1/14/2014 House Introduced and read first time ([House Journal‑page 39](file:///H:\HJ%20Archive\2014\01-14-14.docx))

1/14/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 39](file:///H:\HJ%20Archive\2014\01-14-14.docx))

**VERSIONS OF THIS BILL**

[12/3/2013](file:///p:\pprever\2013-14\4342_20131203.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑445 SO AS TO PROVIDE THAT AN APPEAL ON AN ORDER RULING ON THE APPLICABILITY OF THE CHAPTER REGARDING PROTECTION OF PERSONS AND PROPERTY MAY BE IMMEDIATELY TAKEN IN A CRIMINAL OR CIVIL CASE AND THE FILING OF THE APPEAL STAYS THE ACTION DURING THE PENDENCY OF THE APPEAL.

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

SECTION 1. Article 6, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑445. Notwithstanding any other provision of law, an appeal may be immediately taken of an order ruling on the applicability of this chapter by a trial court in a criminal or civil case. The filing of an appeal pursuant to this section immediately stays the action during the pendency of the appeal.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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