**South Carolina General Assembly**

121st Session, 2015-2016

**A4, R6, S177**

**STATUS INFORMATION**

General Bill

Sponsors: Senators L. Martin, Hembree and Campsen

Document Path: l:\s-jud\bills\l. martin\jud0035.rem.docx

Companion/Similar bill(s): 3124

Introduced in the Senate on January 13, 2015

Introduced in the House on February 4, 2015

Last Amended on January 29, 2015

Passed by the General Assembly on March 5, 2015

Governor's Action: March 27, 2015, Signed

Summary: Procedure for certification of domestic and foreign records

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/10/2014 Senate Prefiled

 12/10/2014 Senate Referred to Committee on **Judiciary**

 1/13/2015 Senate Introduced and read first time

 1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 117](file:///h%3A%5CSJ%20Archive%5C2015%5C01-13-15.docx))

 1/15/2015 Senate Referred to Subcommittee: Campsen (ch), Malloy, Coleman, Hembree, Young ([Senate Journal‑page 117](file:///h%3A%5CSJ%20Archive%5C2015%5C01-15-15.docx))

 1/28/2015 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 27](file:///h%3A%5CSJ%20Archive%5C2015%5C01-28-15.docx))

 1/29/2015 Senate Committee Amendment Adopted ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C01-29-15.docx))

 1/29/2015 Senate Read second time ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C01-29-15.docx))

 1/29/2015 Senate Roll call Ayes‑34 Nays‑0 ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C01-29-15.docx))

 2/3/2015 Senate Read third time and sent to House ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2015%5C02-03-15.docx))

 2/4/2015 House Introduced and read first time ([House Journal‑page 15](file:///h%3A%5CHJ%20Archive%5C2015%5C02-04-15.docx))

 2/4/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 15](file:///h%3A%5CHJ%20Archive%5C2015%5C02-04-15.docx))

 2/25/2015 House Committee report: Favorable **Judiciary** ([House Journal‑page 3](file:///h%3A%5CHJ%20Archive%5C2015%5C02-25-15.docx))

 3/4/2015 House Read second time ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2015%5C03-04-15.docx))

 3/4/2015 House Roll call Yeas‑98 Nays‑1 ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2015%5C03-04-15.docx))

 3/5/2015 House Read third time and enrolled ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2015%5C03-05-15.docx))

 3/25/2015 Ratified R 6

 3/27/2015 Signed By Governor

 4/2/2015 Effective date 03/27/15

 4/9/2015 Act No. 4

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=177&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/10/2014](file:///p%3A%5Cpprever%5C2015-16%5C177_20141210.docx)

[1/28/2015](file:///p%3A%5Cpprever%5C2015-16%5C177_20150128.docx)

[1/29/2015](file:///p%3A%5Cpprever%5C2015-16%5C177_20150129.docx)

[2/25/2015](file:///p%3A%5Cpprever%5C2015-16%5C177_20150225.docx)

(A4, R6, S177)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 19‑5‑520 SO AS TO ALLOW FOR CERTIFICATION, INSTEAD OF REQUIRING EXTRINSIC EVIDENCE, OF THE AUTHENTICITY OF CERTAIN DOMESTIC AND FOREIGN BUSINESS RECORDS OF REGULARLY CONDUCTED ACTIVITY FOR THE RECORDS TO BE ADMISSIBLE AND TO REQUIRE A CRIMINAL PENALTY FOR FALSE CERTIFICATION.**

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

**Admissibility of certified business records**

SECTION 1. Article 9, Chapter 5, Title 19 of the 1976 Code is amended by adding:

 “Section 19‑5‑520. In addition to those matters provided by Rule 902, South Carolina Rules of Evidence, extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

 (A) The original or a copy of a domestic record that meets the requirements of Rule 803(6), South Carolina Rules of Evidence, as shown by a certification of the custodian or another qualified person that complies with a state statute or a court rule. Before the trial or hearing, the proponent shall give an adverse party reasonable written notice of the intent to offer the record and shall make the record and certification available for inspection so that the party has a fair opportunity to challenge the record.

 (B) In a civil case, the original or a copy of a foreign record that is certified by the custodian or another qualified person and otherwise meets the requirements of subsection (A), modified as follows: the certification, rather than complying with a state statute or court rule, must be signed in a manner that, if falsely made, would subject the maker to a criminal penalty in the jurisdiction where the certification is signed. The proponent also shall meet the notice requirements of subsection (A).”

**Time effective**

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

Ratified the 25th day of March, 2015.

Approved the 27th day of March, 2015.

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