**South Carolina General Assembly**

124th Session, 2021-2022

**S. 1158**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Allen and Hembree

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Introduced in the Senate on March 15, 2022

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

Summary: Check expungement

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/15/2022 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj\20220315.docx))

3/15/2022 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h:\sj\20220315.docx))

4/5/2022 Senate Referred to Subcommittee: Hutto (ch), Malloy, Senn, Adams, Garrett

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=1158&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/15/2022](file:///p:\pprever\2021-22\1158_20220315.docx)

**A** **BILL**

TO AMEND SECTION 34‑11‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17‑22‑910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

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

SECTION 1. Section 34‑11‑90 of the 1976 Code is amended by adding a subsection at the end to read:

“(f) notwithstanding another provision of law, if a defendant receives multiple convictions within a three‑year period of time in magistrates court for a violation of this section, the defendant may, after ten years from the date of the last conviction, apply or cause someone acting on his behalf to apply, to the court for an order expunging the records of arrest and the multiple convictions. This provision does not apply to any crime classified as a felony. If the defendant receives no other convictions during the ten‑year period following the last conviction under this section, the court must issue an order expunging the records. No person may take advantage of the rights permitted by this subsection more than once.”

SECTION 2. Section 17‑22‑910(A)(1) of the 1976 Code is amended to read:

“(1) Section 34‑11‑90(e), first offense misdemeanor fraudulent check or Section 34‑11‑90(f), multiple misdemeanor offenses of fraudulent check;”

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

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