

<u>Types of violations and courts in which they may be prosecuted</u>	
Violation of....	May be prosecuted in...
Municipal Ordinance ⁹	Municipal (City/Town) Court ¹⁰ <i>or</i> Magistrate (County) Court <i>ONLY IF approved by governing body of county</i> ¹¹
County Ordinance ¹²	Magistrate (County) Court
State Statute in which the maximum penalty...	
Does not exceed \$100 fine or 30 days in jail AND does not include a charge with a penalty that exceeds \$100 fine or 30 days in jail ¹³	Municipal (City/Town) Court <i>or</i> Magistrate (County) Court
Does not exceed \$500 fine or 30 days in jail ¹⁴	Magistrate/Municipal Court <i>or</i> General Sessions Court
Does not exceed \$5,500 fine or 1 year in jail ¹⁵	Magistrate/Municipal Court <i>ONLY IF the solicitor requests transfer of the case from General Sessions Court and Defendant does not object</i> <i>or</i> General Sessions Court
Exceeds \$5,500 fine or 1 year in jail	General Sessions (State) Court
Federal Statute	U.S. District (Federal) Court

⁹ The penalty for violation of a municipal ordinance cannot exceed \$500 and/or 30 days imprisonment. See, S.C. Code § 14-25-65.

¹⁰ S.C. Code §14-25-5(a) Authorization to establish court; S.C. Code §14-25-45 Powers, duties, and jurisdiction of municipal courts

¹¹ S.C. Code §14-25-5(c)

¹² The penalty for violation of a county ordinance cannot exceed the penalty jurisdiction of the Magistrates Courts. See, S.C. Code § 4-9-30(14). Designation of powers under each alternative form of government except board of commissioners' form.

¹³ S.C. Code § 22-3-540 Exclusive and Concurrent Jurisdiction

¹⁴ SC Code § 22-3-550 Jurisdiction Over Minor Offenses

¹⁵ S.C. Code § 22-3-545 Transfer Court