

**AGENDA**  
**HOUSE JUDICIARY COMMITTEE**  
**March 19, 2019**

The House Judiciary Committee will meet on **Tuesday, March 19, 2019, at 2:30pm, or one and one half hours upon adjournment of the House, whichever is later, in Room 516** of the Blatt Building, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

**CONSTITUTIONAL LAWS SUBCOMMITTEE**

**Favorable**

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Hyde, Daning, Elliott, Hewitt, G.R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

**Favorable with Amendments**

H. 3968 -- Reps. Clemmons, Cobb-Hunter, Rutherford, Mace, Allison, Caskey, Clary, Cogswell, Crawford, Daning, Fry, Gagnon, Hewitt, Hixon, Johnson, Magnuson, McKnight, B. Newton, W. Newton, Pendarvis, Rose, G.R. Smith, Taylor, Yow, King, R. Williams, Jefferson, Henegan, Ott, Simmons, Mack, Gilliard, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Brawley, Burns, Chellis, Chumley, Clyburn, Collins, B. Cox, W. Cox, Dillard, Elliott, Erickson, Forrest, Forrester, Garvin, Govan, Hart, Hayes, Herbkersman, Jordan, Loftis, McDaniel, McGinnis, Morgan, Norrell, Rivers, Robinson, Sandifer, G.M. Smith, Stavrinakis, Stringer, Thayer, Thigpen, Trantham, Weeks, Wheeler, Whitmire, S. Williams, Willis, McCoy, Long, Sottile, Ligon, Martin, Young, Blackwell, Kimmons, Henderson-Myers, Brown, Bennett, Bales, Ridgeway, Funderburk, Parks, Hill, Huggins, Ballentine, Kirby, Hiott, White, Moore, Hosey, Howard, West and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 32 TO TITLE 17 SO AS TO ENACT THE "ASSET FORFEITURE AND PRIVATE PROPERTY PROTECTION ACT"; ETC.

**Favorable with Amendments**

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer and McCravy: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

## CRIMINAL LAWS SUBCOMMITTEE

### Favorable with Amendments

H. 3322 **Error! Bookmark not defined.** -- Reps. Pitts, Rutherford, G.M. Smith, Murphy, McCoy, Weeks, Clyburn, Hosey, Gilliard, Jefferson, Willis, Henegan, Erickson, Bamberg, Henderson-Myers, Cobb-Hunter and Davis: A BILL TO AMEND SECTION 17-25-322, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTITUTION TO CRIME VICTIMS, SO AS TO REQUIRE THAT THE COURT MUST TAKE INTO CONSIDERATION THE FINANCIAL RESOURCES OF THE DEFENDANT AND ABILITY OF DEFENDANT TO PAY, REQUIRE IF A COURT FINDS A DEFENDANT FACES FINANCIAL HARDSHIP THAT THAT DEFENDANT MUST PAY NO LESS THAN A SPECIFIED AMOUNT, AND REQUIRE THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO IMPOSE A PAYMENT SCHEDULE OF EQUAL MONTHLY PAYMENTS RESULTING IN FULL RESTITUTION BY THE END OF SUPERVISION; ETC.

## SPECIAL LAWS SUBCOMMITTEE

### Favorable with Amendments

H. 3203 -- Reps. Hewitt, Ligon and Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-1-65 SO AS TO AUTHORIZE A HOMEOWNER OR TENANT TO DISPLAY ANY FOR SALE SIGN ON THE PREMISES REGARDLESS OF ANY PROVISION IN A DEED, CONTRACT, LEASE, RENTAL AGREEMENT, OR HOMEOWNER'S ASSOCIATION DOCUMENT, AND TO PROHIBIT A DEED, CONTRACT, LEASE, RENTAL AGREEMENT, OR HOMEOWNER'S ASSOCIATION DOCUMENT FROM PRECLUDING A TENANT OR HOMEOWNER FROM DISPLAYING A FOR SALE SIGN.

### Favorable with Amendments

H. 3917 -- Reps. Clemmons, W. Newton, W. Cox and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 26 TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT" AND BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 26 TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT" BOTH SO AS TO PROVIDE FOR THE NOTARIZATION OF DOCUMENTS BY ELECTRONIC MEANS AND FOR REMOTELY LOCATED INDIVIDUALS, SETTINGS FOR CERTAIN REQUIREMENTS IN ACCEPTANCE FOR RECORDING BY A REGISTER OF MESNE CONVEYANCES IN A COUNTY OF ELECTRONIC DOCUMENTS IN TANGIBLE FORM, CHARGING THE OFFICE OF THE SECRETARY OF STATE WITH THE RESPONSIBILITY OF IMPLEMENTING THE ACT AND ADOPTING STANDARDS FOR THE NOTARIZATION OF DOCUMENTS BY ELECTRONIC MEANS AND FOR REMOTELY LOCATED INDIVIDUALS, ETCONS OF CHAPTER 1, TITLE 26 AS "ARTICLE 1, GENERAL PROVISIONS".

### Favorable

H. 3737 -- Reps. Spires, Calhoun, Huggins, Caskey, Ott, Ballentine, Toole and Wooten: A BILL TO AMEND SECTION 55-11-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE RICHLAND-LEXINGTON AIRPORT DISTRICT, SO AS TO INCREASE THE DISTRICT'S MEMBERSHIP BY TWO MEMBERS WHO MUST BE RESIDENTS OF CAYCE OR WEST COLUMBIA.

**Favorable with Amendment**

H. 3602 -- Reps. Rose and Caskey: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

**ELECTION LAWS SUBCOMMITTEE**

**Favorable With Amendment**

H. 3319 -- Reps. King, Cobb-Hunter and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES SHALL INFORM A PERSON WHO HAS BEEN CONVICTED OF A FELONY OR AN OFFENSE AGAINST THE ELECTION LAWS AND HAS SERVED THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING PROBATION AND PAROLE TIME UNLESS SOONER PARDONED, THAT HE IS ELIGIBLE TO REGISTER TO VOTE.