

AGENDA
House Judiciary Committee
April 18, 2023

The House Judiciary Committee will meet on **Tuesday, April 18, 2023, at 2:30 pm or 30 minutes after 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.*

CRIMINAL LAWS SUBCOMMITTEE

Favorable

H.3583 – **Rep. Guffey** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION **16-15-430** SO AS TO CREATE THE OFFENSES OF "SEXUAL EXTORTION" AND "AGGRAVATED SEXUAL EXTORTION", TO DEFINE NECESSARY TERMS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

GENERAL LAWS SUBCOMMITTEE

Favorable

S.96 – **Sen. Campsen** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION **50-21-10**, RELATING TO DEFINITIONS FOR THE EQUIPMENT AND OPERATION OF WATERCRAFT, SO AS TO PROVIDE THE DEFINITION OF PERSONAL WATERCRAFT; BY AMENDING SECTION **50-21-90**, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION **50-21-95**, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS; TO REPEAL SECTION **50-21-870(A)(1)**, RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO REPEAL SECTION **50-21-870(B)(9)**, RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

FAMILY, BUSINESS, AND PROBATE LAW SUBCOMMITTEE

Favorable

H.3220 – **Rep. W. Newton** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO

PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

Favorable

[H.3217](#) – **Rep. W. Newton** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "UNIFORM UNREGULATED CHILD CUSTODY TRANSFER ACT"; BY ADDING SUBARTICLE 12 TO CHAPTER 9, TITLE 63 SO AS TO PROHIBIT UNREGULATED CHILD CUSTODY TRANSFERS OF CHILDREN PLACED FOR ADOPTION; TO CREATE CRIMINAL PENALTIES FOR MAKING A PROHIBITED TRANSFER OF CHILD CUSTODY, RECEIVING CUSTODY OF A CHILD WHO IS THE SUBJECT OF A PROHIBITED TRANSFER, SERVING AS AN INTERMEDIARY FOR A PROHIBITED TRANSFER OF CUSTODY, OR ADVERTISING OR SOLICITING A PROHIBITED TRANSFER OF CUSTODY; TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INVESTIGATE VIOLATIONS AND TAKE OTHER REGULATORY ACTIONS; AND FOR OTHER PURPOSES; BY ADDING SECTION [63-9-85](#) SO AS TO REQUIRE CHILD PLACING AGENCIES TO PROVIDE CERTAIN INFORMATION TO PROSPECTIVE ADOPTIVE PARENTS, INCLUDING GENERAL ADOPTION INFORMATION, INFORMATION ABOUT THE CHILD, AND INFORMATION ABOUT FINANCIAL ASSISTANCE AND OTHER SUPPORT SERVICES; AND BY REPEALING SECTION [63-9-80](#) RELATING TO CERTAIN INFORMATION PROVIDED TO PROSPECTIVE ADOPTIVE PARENTS.

Favorable

[S.341](#) – **Sen. Shealy** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [62-5-101](#)(11), RELATING TO DEFINITIONS AND USE OF TERMS, SO AS TO PROVIDE FOR GUARDIANSHIP PROCEEDINGS FOR A MINOR WITHIN ONE HUNDRED EIGHTY DAYS OF TURNING EIGHTEEN; BY AMENDING SECTION [62-5-201](#), RELATING TO JURISDICTION, SO AS TO PROVIDE FOR ADDITIONAL LIMITED JURISDICTION OF THE COURT OVER MINORS; AND BY AMENDING SECTION [62-5-303](#), RELATING TO PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN; SUMMONS AND PETITION, SO AS TO EXTEND THE TIME A GUARDIANSHIP PROCEEDING CAN BE INITIATED TO ONE HUNDRED EIGHTY DAYS BEFORE A MINOR REACHES THE AGE OF EIGHTEEN.

Favorable

[S.342](#) – **Sen. Shealy** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [63-1-40](#), RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHILDREN'S CODE, SO AS TO DEFINE UNACCOMPANIED HOMELESS YOUTH, HOMELESS CHILD OR YOUTH, AND YOUTH AT RISK OF HOMELESSNESS.

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable

[H.3313](#) – **Rep. Jordan** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [30-5-10](#), RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION [30-5-12](#), RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

Favorable

[H.4042](#) – **Rep. Bernstein** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1710 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

Favorable

[H.3883](#) – **Rep. T. Moore** A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-7-1340, RELATING TO THE DUTIES AND SERVICE OF ALTERNATE JURORS, SO AS TO ALLOW THE COURT TO RETAIN ALTERNATE JURORS UPON SUBMISSION OF A CASE TO A JURY FOR DELIBERATIONS.

Favorable

[H.3734](#) – **Rep. B Newton** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [5-15-10](#), RELATING TO THE CONDUCT OF MUNICIPAL PRIMARY, GENERAL, AND SPECIAL ELECTIONS, SO AS TO REQUIRE THAT ALL SUCH MUNICIPAL ELECTIONS BE CONDUCTED USING THE VOTING SYSTEM APPROVED AND ADOPTED BY THE STATE ELECTION COMMISSION; BY AMENDING SECTION [5-15-40](#), RELATING TO TERMS OF OFFICE OF MAYOR AND COUNCILMEN, SO AS TO PROVIDE THAT THE TERMS OF THE MAYOR AND COUNCILMEN COMMENCE THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION RESULTS; BY AMENDING SECTION [5-15-50](#), RELATING TO ESTABLISHMENT OF MUNICIPAL WARD LINES AND TIME FOR MUNICIPAL GENERAL AND SPECIAL ELECTIONS, SO AS TO, AMONG OTHER THINGS, REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ON ONE OF CERTAIN ENUMERATED DATES, PROHIBIT THE TERMS OF INCUMBENT COUNCILMEMBERS FROM BEING EXTENDED WHEN A NEW TIME FOR MUNICIPAL GENERAL ELECTIONS IS ESTABLISHED, AND REQUIRE MUNICIPAL SPECIAL ELECTIONS SCHEDULED TO OCCUR WITHIN CERTAIN TIME FRAMES OF THE MUNICIPALITY'S GENERAL ELECTION TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION; BY AMENDING SECTION [5-15-100](#), RELATING TO FUNCTIONS, POWERS,

AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO EXTEND THE TIME FRAME BY WHICH A MUNICIPAL ELECTION COMMISSION MUST MEET AND DECLARE THE RESULTS FOLLOWING AN ELECTION; BY AMENDING SECTION [5-15-120](#), RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO CHANGE THE TIME WHEN NEWLY ELECTED OFFICERS MAY BE QUALIFIED AND THEIR TERMS COMMENCE TO THE MONDAY AFTER CERTIFICATION OF THE ELECTION RESULTS; AND BY AMENDING SECTION [5-15-145](#), RELATING TO TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO REQUIRE COUNTY ELECTION COMMISSIONS TO CONDUCT MUNICIPAL ELECTIONS FOR MUNICIPALITIES THAT ELECT TO TRANSFER AUTHORITY.