

AMENDED AGENDA
House Judiciary Committee
Tuesday May 2, 2023, AND Wednesday, May 3, 2023

The House Judiciary Committee **will meet and begin deliberation of legislation on Tuesday, May 2, 2023, immediately upon adjournment of the House AND, if necessary, will continue deliberation of legislation on Wednesday, May 3, 2023, at 9:00 am 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.*

GENERAL LAWS SUBCOMMITTEE

Favorable with Amendment

S.566 – Sen. Bennett - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CRAFT BEER ECONOMIC DEVELOPMENT ACT"; BY AMENDING SECTION 61-4-1515, RELATING TO THE SALE OF BEER BY BREWERIES, SO AS TO PROVIDE THAT A BREWERY IS AUTHORIZED TO SELL UP TO TWO THOUSAND BARRELS OF BEER EACH YEAR BREWED ON ONE OR MORE OF THE BREWERY'S PERMITTED PREMISES AT RETAIL, WHOLESALE, OR BOTH, AND DELIVER OR SHIP THE BEER TO LICENSED RETAILERS IN THIS STATE, TO DELETE THE CONDITION THAT SALES TO CONSUMERS MUST BE HELD IN CONJUNCTION WITH A TOUR, TO DELETE THE CONDITION THAT THE MAXIMUM AMOUNT OF BEER THAT MAY BE SOLD TO A CONSUMER FOR OFF-PREMISES CONSUMPTION SHALL BE EQUIVALENT TO TWO HUNDRED EIGHTY-EIGHT OUNCES, AND TO PROVIDE THAT A BREWERY IS ELIGIBLE FOR A SPECIAL PERMIT PURSUANT TO SECTION 61-4-550; AND BY ADDING SECTION 61-4-1550 SO AS TO PROVIDE THAT A BREWERY IS AUTHORIZED TO TRANSFER BEER PRODUCED ON ONE OR MORE OF THE BREWERY'S PERMITTED PREMISES TO OTHER FACILITIES WITHIN THIS STATE OWNED, LEASED, OR RENTED BY THE BREWERY WITHOUT BEING SUBJECT TO THE DISTRIBUTION AND WHOLESALE PROVISIONS OF TITLE 61 AND ANY TAXATION PROVISIONS OF THIS STATE, INCLUDING LOCAL GOVERNMENTS.

Favorable

S.459 – Sen. Grooms - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 55-9-235, SO AS TO PROVIDE FOR THE SALE AND CONSUMPTION OF LIQUOR BY THE DRINK THROUGHOUT THE TRANSPORTATION SECURITY ADMINISTRATION SCREENED PORTION OF QUALIFYING SOUTH CAROLINA AIRPORTS.

CRIMINAL LAWS SUBCOMMITTEE

Favorable with Amendment

S.36 – SEN. HUTTO - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-286, RELATING TO SUSPENSION OF LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW PERSONS UNDER THE AGE OF TWENTY-ONE WHO ARE SERVING A SUSPENSION OR ARE DENIED A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, OR REQUEST A

CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLES HEARINGS; BY AMENDING SECTION [56-1-385](#), RELATING TO REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING BEFORE OCTOBER 1, 2014; BY AMENDING SECTION [56-1-400](#), RELATING TO SURRENDER OF LICENSES; ISSUANCE OF NEW LICENSES; ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICES ON LICENSES, SO AS TO REVISE THE PROVISIONS THAT RELATE TO THE DURATION OF THE PERIOD FOR WHICH THE IGNITION INTERLOCK DEVICES MUST BE MAINTAINED TO INCLUDE REFERENCES TO THE HABITUAL OFFENDER STATUTE AND DELETE THE REQUIREMENT THAT REQUIRES PERSONS SEEKING TO HAVE LICENSES ISSUED MUST FIRST PROVIDE PROOF THAT FINES OWED HAVE BEEN PAID; BY AMENDING SECTION [56-1-1090](#), RELATING TO REQUEST FOR RESTORATION OF PRIVILEGES TO OPERATE MOTOR VEHICLES, CONDITIONS, AND APPEALS OF DENIALS OF REQUESTS, SO AS TO PROVIDE HABITUAL OFFENDERS MAY OBTAIN DRIVERS' LICENSES WITH INTERLOCK RESTRICTIONS IF THEY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM AND OBTAINED LICENSES WITH INTERLOCK RESTRICTIONS; BY AMENDING SECTION [56-1-1320](#), RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE THE ISSUANCE OF PROVISIONAL DRIVERS' LICENSES FOR CERTAIN OFFENSES THAT OCCURRED BEFORE THE EFFECTIVE DATE OF THIS ACT; BY AMENDING SECTION [56-1-1340](#), RELATING TO LICENSES THAT MUST BE KEPT IN POSSESSION, ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM STATUTORY REFERENCES; BY AMENDING SECTION [56-5-2941](#), RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE CERTAIN PERSONS ISSUED TEMPORARY ALCOHOL LICENSES ARE REQUIRED TO HAVE IGNITION INTERLOCK DEVICES INSTALLED ON CERTAIN MOTOR VEHICLES, TO DELETE THE PROVISION THAT PROVIDES THIS SECTION DOES NOT APPLY TO PERSONS CONVICTED OF CERTAIN FIRST OFFENSE VIOLATIONS, TO PROVIDE THAT DRIVERS OF MOTORCYCLES ARE EXEMPT FROM HAVING IGNITION INTERLOCK DEVICES INSTALLED ON THESE VEHICLES, TO INCLUDE REFERENCES TO THE HABITUAL OFFENDER STATUTE, TO PERMIT DRIVERS WITH LIFETIME IGNITION INTERLOCK REQUIREMENT DUE TO CONVICTIONS ON OR AFTER OCTOBER 1, 2014, TO SEEK TO HAVE THE DEVICES REMOVED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES AND THE RESTRICTIONS FROM THEIR DRIVERS' LICENSES, REQUIRE DEVICE MANUFACTURERS TO APPLY TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES FOR CERTIFICATION OF THE DEVICES, PAY A CERTIFICATION FEE AND PROVIDE FOR THE DISPOSITION OF THE FEE, AND TO PROVIDE FOR THE COLLECTION AND RETENTION OF THE INFORMATION RECORDED BY THE DEVICES; BY AMENDING SECTION [56-5-2951](#), RELATING TO THE SUSPENSION OF LICENSES FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVELS OF ALCOHOL CONCENTRATION, TEMPORARY ALCOHOL LICENSES, ADMINISTRATIVE HEARING, RESTRICTED DRIVERS' LICENSES AND PENALTIES, SO AS TO PROVIDE WITHIN THIRTY DAYS OF THE ISSUANCE OF NOTICES OF SUSPENSION, PERSONS MAY REQUEST A CONTESTED HEARING BEFORE THE OFFICE OF MOTOR VEHICLES HEARINGS, ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND OBTAIN TEMPORARY ALCOHOL LICENSES WITH IGNITION INTERLOCK DEVICE RESTRICTIONS, TO PROVIDE FOR THE DISPOSITION OF TEMPORARY ALCOHOL LICENSE FEES, TO PROVIDE THE IGNITION INTERLOCK RESTRICTION BE MAINTAINED ON TEMPORARY LICENSES UNDER CERTAIN CIRCUMSTANCES, TO MAKE TECHNICAL CHANGES, TO ALLOW PERSONS TO RECEIVE CERTAIN CREDITS FOR MAINTAINING IGNITION INTERLOCK RESTRICTIONS ON TEMPORARY ALCOHOL LICENSES UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE THE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES, TO PROVIDE PROSECUTING AUTHORITIES ARE NOT PRECLUDED FROM WAIVING OR DISMISSING CHARGES UNDER THIS SECTION; AND BY AMENDING SECTION [56-5-2990](#), RELATING TO SUSPENSION OF CONVICTED PERSONS DRIVERS' LICENSES, AND PERIOD OF SUSPENSION, SO AS TO REVISE THE PENALTIES RELATING TO CONVICTIONS FOR FIRST OFFENCE DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS TO ONLY REQUIRE PERSONS TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, END THE SUSPENSION, AND OBTAIN INTERLOCK RESTRICTED LICENSES, DELETE THE PROVISION ALLOWING THE USE OF ROUTE-RESTRICTED OR SPECIAL RESTRICTED DRIVERS' LICENSES TO ATTEND CERTAIN PROGRAMS AND FUNCTIONS, AND TO DELETE THE PROVISION THAT ESTABLISHES THE DATE WHEN DRIVER'S LICENSE SUSPENSION PERIODS BEGINS AND WHEN CERTAIN APPEALS MAY BE FILED.

Favorable

S.330 – SEN. RANKIN - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [16-11-740](#), RELATING TO MALICIOUS INJURY TO TELEGRAPH, TELEPHONE, OR ELECTRIC UTILITY SYSTEM, SO AS TO ADD TIERED PENALTIES FOR DAMAGE TO A UTILITY SYSTEM.

Favorable

S.146 – SEN. SHEALY - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [44-48-30](#), RELATING TO DEFINITIONS, SO AS TO DEFINE A QUALIFIED EVALUATOR AND A RESIDENT, AS WELL AS TO CHANGE THE DEFINITION OF "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE" TO MEAN THAT A PERSON IS PREDISPOSED TO ENGAGE IN ACTS OF SEXUAL VIOLENCE AND MORE PROBABLY THAN NOT WILL ENGAGE IN SUCH ACTS; BY AMENDING SECTION [44-48-40](#), RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, SO AS TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED REENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; BY AMENDING SECTION [44-48-50](#), RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, SO AS TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; BY AMENDING SECTION [44-48-80](#), RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, SO AS TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; BY AMENDING SECTION [44-48-90](#), RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; BY AMENDING SECTION [44-48-100](#), RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, SO AS TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; BY AMENDING SECTION [44-48-110](#), RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; BY ADDING SECTION [44-48-115](#) SO AS TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; BY AMENDING SECTION [44-48-120](#), RELATING TO HEARING ORDERED BY COURT, EXAMINATION BY QUALIFIED EXPERT, AND THE BURDEN OF PROOF, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; BY AMENDING SECTION [44-48-150](#), RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, SO AS TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; BY AMENDING SECTION [24-21-32](#), RELATING TO REENTRY SUPERVISION AND REVOCATION, SO AS TO PROVIDE THAT IF THE MULTIDISCIPLINARY TEAM FINDS PROBABLE CAUSE TO BELIEVE THAT AN INMATE IS A SEXUALLY VIOLENT PREDATOR, THEN THE INMATE IS NOT ELIGIBLE FOR THE SUPERVISED REENTRY PROGRAM; AND BY ADDING SECTION [44-48-180](#) SO AS TO ENSURE THAT CASES PURSUANT TO THIS CHAPTER SHALL BE GIVEN PRIORITY STATUS FOR THE PURPOSES OF SCHEDULING ANY HEARINGS OR TRIALS.

Favorable

H.4002 – Rep. G.M. Smith - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [24-3-980](#) SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

FAMILY, BUSINESS, AND PROBATE LAW SUBCOMMITTEE

Favorable

S.612 – Sen. Shealy - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [63-7-10](#), RELATING TO THE PURPOSE OF THE SOUTH CAROLINA CHILDREN'S CODE, SO AS TO PROVIDE CHILD WELFARE SERVICE PRINCIPLES; AND BY AMENDING SECTION [63-7-920](#), RELATING TO INVESTIGATIONS AND CASE DETERMINATION, SO AS TO PROVIDE GUIDELINES FOR INVESTIGATION AND REPORTING IN THE CASE OF A REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT.

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable with Amendment

S.252 – Sen. M. Johnson - TO AMEND CHAPTER 2, TITLE 30 OF THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE LAW ENFORCEMENT PERSONAL INFORMATION PRIVACY PROTECTION ACT, BY ADDING ARTICLE 5 TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY FORMALLY REQUEST THAT HIS PERSONAL IDENTIFYING INFORMATION HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENTAL AGENCY BE HELD CONFIDENTIAL AFTER WHICH THE INFORMATION MUST NOT BE DISCLOSED EXCEPT TO ANOTHER GOVERNMENTAL AGENCY, UNDER SUBPOENA, BY ORDER OF THE COURT, OR UPON WRITTEN CONSENT OF THE OFFICER.

Favorable

S.92 – Sen. Campsen - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [7-17-110](#) SO AS TO PROVIDE FOR THE EXTENSION OF AN ELECTION PROTEST FILING DEADLINE WHICH FALLS ON A LEGAL HOLIDAY.

Favorable

S.405 – Sen. Campsen - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [7-19-70](#), RELATING TO CERTIFICATES OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS, SO AS TO REQUIRE THE GOVERNOR TO TRANSMIT TO THE ARCHIVIST OF THE UNITED STATES A CERTIFICATE OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS AT LEAST SIX DAYS BEFORE THE MEETING OF THE ELECTORS; BY AMENDING SECTION [7-19-90](#), RELATING TO THE MEETING OF ELECTORS, SO AS TO REVISE THE TIME FIXED FOR THE MEETING; AND BY AMENDING SECTION [7-19-100](#), RELATING TO THE DISPOSITION OF CERTIFICATES OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS, SO AS TO REVISE THE MANNER OF DISPOSITION.

Favorable with Amendment

[S.406](#) – Sen. Campsen - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [7-15-420](#)(D) AND (E), RELATING TO THE TABULATION OF ABSENTEE BALLOTS, SO AS TO PROVIDE THAT BALLOTS CAST DURING THE EARLY VOTING PERIOD MAY BEGIN TO BE TABULATED AT THE SAME TIME AS ABSENTEE BALLOTS.

Favorable

[H.3872](#) – Rep. Murphy - TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [59-150-145](#) SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS; AND BY AMENDING SECTION [30-4-40](#), RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO MAKE A CONFORMING CHANGE.