

Session 115 - (2003-2004)

S 1211 General Bill, By Reese

Summary: Bench warrants, recognizance case, disposition of funds

A BILL TO AMEND SECTION 17-15-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF FUNDS COLLECTED DURING A PROCEEDING IN A FORFEITURE OF RECOGNIZANCE CASE, SO AS TO PROVIDE THAT THE PORTION OF THE FUNDS COLLECTED THAT ARE REMITTED CURRENTLY TO THE SOLICITOR'S OFFICES MUST BE REMITTED TO THE SCHOOL BOARDS IN THE COUNTY IN WHICH THE FORFEITURE IS ORDERED; AND TO AMEND SECTION 38-53-70, AS AMENDED, RELATING TO THE ISSUANCE OF A BENCH WARRANT WHEN A DEFENDANT FAILS TO APPEAR AT A COURT PROCEEDING IN WHICH HE HAS BEEN SUMMONED, SO AS TO INCREASE THE PERIOD OF TIME A SURETY IS REQUIRED TO SURRENDER THE DEFENDANT OR PLACE A HOLD ON THE DEFENDANT'S RELEASE BEFORE HIS BOND IS FORFEITED, TO REQUIRE THE COURT TO NOTIFY THE DEFENDANT'S SURETY BY CERTIFIED MAIL THAT A BENCH WARRANT HAS BEEN ISSUED FOR THE DEFENDANT AND ALL SCHEDULED COURT APPEARANCES FOR THE DEFENDANT, AND TO PROVIDE THAT WHEN A PROCEEDING IS NOT HELD WITHIN A YEAR OF A DEFENDANT'S ARREST, THE SURETY MUST BE RELEASED FROM HIS OBLIGATIONS PURSUANT TO A BOND.

04/28/04 Senate Introduced and read first time SJ-15

04/28/04 Senate Referred to Committee on Judiciary SJ-15