

## Session 117 - (2007-2008)

### H 3030 General Bill, By J.R. Smith, Clyburn, Perry, D.C. Smith, Spires and Stewart

**Summary:** Rural community water district

A BILL TO ADD SECTION 23-3-615, PROVIDING DEFINITIONS FOR DNA SAMPLE, DNA PROFILE, AND DNA RECORD; TO AMEND SECTION 23-3-620, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENDERS BEING REQUIRED TO SUBMIT SAMPLES FOR INCLUSION IN THE DNA DATABASE, SO AS TO REQUIRE SAMPLES UPON LAWFUL CUSTODIAL ARREST, COURTESY SUMMONS, OR DIRECT INDICTMENT FOR A FELONY OFFENSE, OFFENSE THAT CARRIES A SENTENCE OF FIVE YEARS OR MORE, OR AN ARREST FOR EAVESDROPPING, PEEPING, OR STALKING, AND AT THE TIME OF INTAKE AT A JAIL OR PRISON, AND TO REQUIRE SAMPLES TO BE PROVIDED BEFORE A PERSON IS RELEASED ON PAROLE, RELEASED FROM CONFINEMENT, OR RELEASED FROM AN AGENCY'S JURISDICTION; TO AMEND SECTION 23-3-630, RELATING TO PERSONS AUTHORIZED TO TAKE DNA SAMPLES AND THEIR IMMUNITY FROM LIABILITY, SO AS TO DELETE REQUIREMENTS THAT THE PERSONS AUTHORIZED MUST BE CERTAIN TYPES OF HEALTH PROFESSIONALS AND TO PROVIDE THAT THEY MUST BE APPROPRIATELY TRAINED; TO AMEND SECTION 23-3-650, RELATING TO THE CONFIDENTIALITY OF DNA, SO AS TO PROVIDE FOR COORDINATION BETWEEN SLED AND LOCAL LAW ENFORCEMENT AGENCIES TO PREVENT COLLECTION AND PROCESSING OF DUPLICATE DNA SAMPLES AND TO INCREASE FINES AND IMPRISONMENT TERMS FOR WRONGFUL DISCLOSURE OF DNA INFORMATION; TO AMEND SECTIONS 23-3-660 AND 23-3-670, RELATING TO EXPUNGEMENTS AND FEES FOR DNA SAMPLES, SO AS TO PROVIDE FOR EXPUNGEMENT AT NO COST TO THE ACCUSED WHEN CHARGES ARE DISMISSED, NOLLE PROSSSED, OR REDUCED BELOW THE REQUIREMENT FOR THE TAKING OF THE DNA SAMPLE, TO PROVIDE THAT THE STATE WILL PAY FOR THE COSTS OF COLLECTING AND PROCESSING A DNA SAMPLE, AND TO PROVIDE THAT FEES COLLECTED FROM CONVICTED PERSONS SHALL BE REMITTED TO THE GENERAL FUND OF THE STATE AND CREDITED TO THE STATE LAW ENFORCEMENT DIVISION, AND TO REQUIRE NOTIFICATION TO THE PERSON OF THESE REMEDIES; TO AMEND SECTION 23-3-120, RELATING TO THE TAKING OF FINGERPRINTS, SO AS TO PROVIDE FOR THE PLACE AND TIMING FOR THE FINGERPRINTING OF A PERSON PLACED UNDER CUSTODIAL ARREST; AND TO AMEND SECTION 23-3-640, RELATING TO DISPOSITION OF DNA SAMPLES SO AS TO PROVIDE THAT ONCE THE DNA PROFILE IS PLACED INTO THE DNA DATABASE, SLED MUST IMMEDIATELY DESTROY THE DNA SAMPLE.

12/13/06	House	Prefiled
12/13/06	House	Referred to Committee on Education and Public Works
01/09/07	House	Introduced and read first time HJ-27
01/09/07	House	Referred to Committee on Education and Public Works HJ-27
02/13/07	House	Recalled from Committee on Education and Public Works HJ-32
02/14/07	House	Read second time HJ-29
02/15/07	House	Read third time and sent to Senate HJ-17
02/15/07	Senate	Introduced and read first time SJ-13
02/15/07	Senate	Referred to Committee on Judiciary SJ-13
02/16/07	Senate	Referred to Subcommittee: Martin (ch), Malloy, Campsen, Williams
05/07/08	Senate	Committee report: Favorable with amendment Judiciary SJ-7
05/21/08	Senate	Committee Amendment Amended and Adopted SJ-94
05/21/08	Senate	Read second time SJ-94
06/05/08	Senate	Amended SJ-53
06/05/08	Senate	Read third time and returned to House with amendments SJ-53