

Session 120 - (2013-2014)

H 4343 General Bill, By Sellers and McCoy

Summary: Criminal Domestic Violence

A BILL TO AMEND SECTION 16-25-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL DOMESTIC VIOLENCE OFFENSES AND PENALTIES, SO AS TO INCREASE THE PENALTY FOR FIRST OFFENSE CRIMINAL DOMESTIC VIOLENCE FROM THIRTY DAYS TO ONE HUNDRED EIGHTY DAYS, CLARIFY THAT THE AMOUNT OF BOND IS IN THE DISCRETION OF THE JUDGE, PROVIDE THAT THE COURT MUST ORDER PARTICIPATION IN A DOMESTIC VIOLENCE INTERVENTION PROGRAM, AND ALLOW RESTRICTION ON FIREARMS AND AMMUNITION AS A CONDITION OF BOND; TO AMEND SECTION 16-25-30, RELATING TO THE ILLEGAL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A DOMESTIC VIOLENCE OFFENSE, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON CONVICTED OF A CRIMINAL DOMESTIC VIOLENCE OFFENSE OR A PERSON SUBJECT TO AN ORDER OF PROTECTION FOR DOMESTIC OR FAMILY VIOLENCE TO SHIP, TRANSPORT, OR RECEIVE A FIREARM OR AMMUNITION, TO PROVIDE FOR THE SURRENDER OF FIREARMS TO THE APPROPRIATE COUNTY SHERIFF, AND TO PROVIDE NOTICE TO A PERSON TO WHOM THE STATUTE APPLIES; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO PROVIDE THAT THE COURT MUST ORDER PARTICIPATION IN A DOMESTIC VIOLENCE INTERVENTION PROGRAM AND ALLOW A RESTRICTION ON FIREARMS AND AMMUNITION AS A CONDITION OF BOND; TO AMEND SECTION 22-5-910, AS AMENDED, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO INCREASE THE AMOUNT OF TIME WHEN A FIRST OFFENSE CRIMINAL DOMESTIC VIOLENCE OFFENSE MAY BE EXPUNGED FROM FIVE TO SEVEN YEARS FROM THE DATE OF THE CONVICTION; AND TO AMEND SECTION 22-5-920, AS AMENDED, RELATING TO YOUTHFUL OFFENDER CONVICTIONS, SO AS TO CORRECT AN OBSOLETE REFERENCE.

12/03/13 House Prefiled

12/03/13 House Referred to Committee on Judiciary

01/14/14 House Introduced and read first time (House Journal-page 39)

01/14/14 House Referred to Committee on Judiciary (House Journal-page 39)