

Session 116 - (2005-2006)

S*0022 (Rat #0076, Act #0075 of 2005) General Bill, By Knotts, McConnell, Leventis, Sheheen, Hayes, Alexander, Ford, McGill, Williams and Malloy

Similar (H 3189)

Summary: State grand jury jurisdiction revised to include environmental offenses

AN ACT TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LEGISLATIVE INTENT OF ARTICLE 15, CHAPTER 7, TITLE 14, SO AS TO PROVIDE THAT THERE IS A NEED TO ENHANCE THE GRAND JURY SYSTEM TO IMPROVE THE ABILITY OF THE STATE TO DETECT AND INVESTIGATE WILFUL CRIMES WHICH RESULT IN SUBSTANTIAL HARM TO THE ENVIRONMENT AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, BECAUSE OF ITS UNIQUE QUALIFICATIONS, MUST PLAY A SUBSTANTIAL ROLE IN THE INVESTIGATION OF ANY SUCH ALLEGED ENVIRONMENTAL OFFENSE, INCLUDING DETERMINING IF SUCH AN ENVIRONMENTAL OFFENSE HAS OCCURRED AND CERTIFYING THAT THE AMOUNT OF ANTICIPATED DAMAGES ARE TWO MILLION DOLLARS OR MORE; AND TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO THE JURISDICTION OF THE STATE GRAND JURY, SO AS TO EXTEND THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY TO INCLUDE WILFUL CRIMES WHICH RESULT IN SUBSTANTIAL HARM TO THE ENVIRONMENT, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST CERTIFY THAT THE AMOUNT OF ANTICIPATED DAMAGES ARE TWO MILLION DOLLARS OR MORE AND MUST MAKE A FORMAL WRITTEN RECOMMENDATION TO THE ATTORNEY GENERAL AND THE CHIEF OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION IN CONSIDERATION OF THE NEED TO IMPANEL A STATE GRAND JURY. - ratified title

12/08/04	Senate	Prefiled
12/08/04	Senate	Referred to Committee on Judiciary
01/11/05	Senate	Introduced and read first time SJ-91
01/11/05	Senate	Referred to Committee on Judiciary SJ-91
02/04/05	Senate	Referred to Subcommittee: Mescher (ch), Knotts, Sheheen
03/02/05	Senate	Committee report: Favorable with amendment Judiciary SJ-11
03/03/05		Scrivener's error corrected
03/15/05	Senate	Special order, set for 03/16/05 SJ-34
03/16/05	Senate	Amended SJ-43
03/17/05		Scrivener's error corrected
03/29/05	Senate	Debate interrupted SJ-23
03/30/05	Senate	Amended SJ-33
03/30/05	Senate	Read second time SJ-33
03/31/05	Senate	Read third time and sent to House SJ-34
04/05/05	House	Introduced and read first time HJ-12
04/05/05	House	Referred to Committee on Judiciary HJ-13
04/07/05	House	Recalled from Committee on Judiciary HJ-20
04/13/05	House	Amended HJ-39
04/13/05	House	Read second time HJ-40
04/14/05	House	Read third time and returned to Senate with amendments
04/18/05	Senate	House amendment amended SJ-74
04/18/05	Senate	Returned to House with amendments SJ-74
04/19/05		Scrivener's error corrected
04/26/05	House	Non-concurrence in Senate amendment HJ-68
04/27/05	Senate	Senate insists upon amendment and conference committee appointed Martin, Knotts and Malloy SJ-19
04/28/05	House	Conference committee appointed Reps. GM Smith, Merrill, and Jennings HJ-42
05/12/05	House	Conference report received and adopted HJ-69
05/12/05	Senate	Conference report adopted SJ-27
05/17/05	House	Ordered enrolled for ratification HJ-3
05/18/05		Ratified R 76
05/24/05		Signed By Governor
06/01/05		Copies available

06/01/05

Effective date 05/24/05

06/07/05

Act No. 75