

Session 113 - (1999-2000)

S*0300 (Rat #0402, Act #0362 of 2000) General Bill, By Hutto

Summary: Constables, special state appointed; Torts committed by; Law Enforcement, liability exception; Secretary of State

A BILL TO AMEND SECTION 15-78-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTANCES IN WHICH A GOVERNMENTAL ENTITY IS NOT LIABLE FOR CERTAIN LOSSES, SO AS TO PROVIDE THAT A GOVERNMENTAL ENTITY IS NOT LIABLE FOR CERTAIN ACTS OR OMISSIONS COMMITTED BY SPECIAL STATE CONSTABLES APPOINTED UPON THE RECOMMENDATION OF THE UNITED STATES ATOMIC ENERGY COMMISSION; TO AMEND SECTION 23-7-30, RELATING TO THE OATH CERTAIN SPECIAL STATE CONSTABLES MUST TAKE AND THE SURETY BOND THEY MUST GIVE AND FILE IN THE OFFICE OF THE SECRETARY OF STATE, SO AS TO DELETE THE PROVISION THAT REQUIRES THAT THE GIVING AND FILING OF A SURETY BOND WITH THE SECRETARY OF STATE IS CONDITIONED UPON THE PAYMENT OF ANY JUDGMENT AGAINST A SPECIAL STATE CONSTABLE IN ANY COURT UPON A CLAIM OR CAUSE OF ACTION ARISING OUT OF A BREACH OR ABUSE OF OFFICIAL DUTY OR POWER OR OTHER UNLAWFUL ACT COMMITTED UNDER COLOR OF OFFICE; AND TO AMEND SECTION 23-7-70, RELATING TO CERTAIN SPECIAL STATE CONSTABLES AND THEIR SURETIES BEING ANSWERABLE ON THE SPECIAL STATE CONSTABLES' BOND FOR THEIR ACTS OF MALFEASANCE, NONFEASANCE, MISFEASANCE, OR ANY UNLAWFUL ACT PERFORMED UNDER COLOR OF OFFICE, SO AS TO DELETE THIS PROVISION AND PROVIDE THAT THE STATE'S TORT CLAIMS ACT IS THE SOLE REMEDY FOR ANY TORT COMMITTED BY CERTAIN SPECIAL STATE CONSTABLES WHILE ACTING WITHIN THE SCOPE OF THEIR OFFICIAL DUTIES.-AMENDED TITLE

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| 12/16/98 | Senate | Prefiled |
| 12/16/98 | Senate | Referred to Committee on Judiciary |
| 01/12/99 | Senate | Introduced and read first time SJ-116 |
| 01/12/99 | Senate | Referred to Committee on Judiciary SJ-116 |
| 03/22/00 | Senate | Committee report: Favorable with amendment Judiciary SJ-5 |
| 03/23/00 | Senate | Amended SJ-34 |
| 03/23/00 | Senate | Read second time SJ-34 |
| 03/28/00 | Senate | Read third time and sent to House SJ-242 |
| 03/29/00 | House | Introduced and read first time HJ-11 |
| 03/29/00 | House | Referred to Committee on Judiciary HJ-12 |
| 05/24/00 | House | Committee report: Favorable Judiciary HJ-3 |
| 05/30/00 | House | Read second time HJ-21 |
| 05/31/00 | House | Read third time and enrolled HJ-8 |
| 06/08/00 | | Ratified R 402 |
| 06/14/00 | | Signed By Governor |
| 06/14/00 | | Effective date 06/14/00 |
| 06/29/00 | | Copies available |
| 06/29/00 | | Act No. 362 |