

## Session 114 - (2001-2002)

### **H 3056 General Bill, By Meacham-Richardson, A. Young, Simrill, Stille, White, Perry, Rodgers, Gilham and Lourie**

**Summary:** Criminal domestic violence, offender penalties and program, additional offenses; Crimes and Offenses, Domestic Relations

A BILL TO ENACT THE "DOMESTIC VIOLENCE PREVENTION ACT OF 2001" INCLUDING PROVISIONS TO AMEND SECTION 16-3-20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO ADD AS SEPARATE AGGRAVATING CIRCUMSTANCES WHICH MAY BE CONSIDERED IN THE DETERMINATION OF THE SENTENCE TO BE IMPOSED, A MURDER COMMITTED IN VIOLATION OF A PROTECTIVE ORDER OR A RESTRAINING ORDER, AND A MURDER COMMITTED AGAINST A HOUSEHOLD MEMBER WHEN THE DEFENDANT HAD A PRIOR CONVICTION FOR COMMITTING CERTAIN LISTED OFFENSES AGAINST THE HOUSEHOLD MEMBER VICTIM; TO AMEND SECTIONS 16-25-30, 16-25-40, 16-25-50, 16-25-60, 16-25-70, ALL AS AMENDED, AND SECTION 16-25-65, ALL RELATING TO PROCEDURES AND PENALTIES FOR CRIMINAL DOMESTIC VIOLENCE SO AS TO DELETE FINES AS A PENALTY FOR THESE OFFENSES AND TO AUTHORIZE SUSPENSION OF THE SENTENCE IMPOSED, EXCEPT MANDATORY MINIMUM SENTENCES WHERE APPLICABLE, UPON THE OFFENDER SATISFACTORILY COMPLETING AN APPROVED TREATMENT PROGRAM FOR BATTERERS, TO PROVIDE THAT THE SOLICITOR MAY NOT DROP A CRIMINAL DOMESTIC VIOLENCE CHARGE BEFORE TRIAL, TO CREATE THE OFFENSE OF CRIMINAL DOMESTIC VIOLENCE IN THE PRESENCE OF A MINOR AND TO PROVIDE PENALTIES; TO AMEND SECTION 17-22-50, AS AMENDED, RELATING TO PERSONS NOT TO BE CONSIDERED FOR A PRETRIAL INTERVENTION PROGRAM, SO AS TO PROVIDE THAT PERSONS CHARGED WITH CRIMINAL DOMESTIC VIOLENCE OFFENSES UNDER TITLE 16, CHAPTER 25 MAY NOT BE CONSIDERED FOR THIS PROGRAM; AND TO AMEND SECTION 22-5-510, AS AMENDED, RELATING TO BOND HEARINGS AND THE RELEASE OF DEFENDANTS, SO AS TO REQUIRE A MAGISTRATE TO HOLD A DEFENDANT IN A CASE INVOLVING CRIMINAL DOMESTIC VIOLENCE FORTY-EIGHT HOURS AFTER ARREST, UPON GOOD CAUSE SHOWN AT THE BOND HEARING.

12/06/00	House	Prefiled
12/06/00	House	Referred to Committee on Judiciary
01/09/01	House	Introduced and read first time HJ-34
01/09/01	House	Referred to Committee on Judiciary HJ-35
01/24/01	House	Member(s) request name removed as sponsor: Cobb-Hunter
02/26/02	House	Member(s) request name added as sponsor: Gilham
04/24/02	House	Committee report: Favorable with amendment Judiciary HJ-85
04/25/02	House	Member(s) request name added as sponsor: Lourie
04/30/02	House	Requests for debate-Rep(s). Altman and Lloyd HJ-47
04/30/02	House	Debate interrupted HJ-47
04/30/02	House	Amended HJ-50
04/30/02	House	Requests for debate-Rep(s). Loftis, Rivers and Kennedy HJ-59
05/01/02	House	Amended HJ-52
05/01/02	House	Read second time HJ-54
05/01/02	House	Roll call Yeas-99 Nays-0 HJ-54
05/02/02	House	Read third time and sent to Senate HJ-25
05/02/02	Senate	Introduced and read first time SJ-19
05/02/02	Senate	Referred to Committee on Judiciary SJ-19
05/22/02	Senate	Committee report: Favorable with amendment Judiciary SJ-18