Session 118 - (2009-2010)

S 0310 General Bill, By Thomas

Similar (S 0411, H 3022)

Summary: Uniform Expungement of Criminal Records Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 22, TITLE 17 SO AS TO ENACT THE "UNIFORM EXPUNGEMENT OF CRIMINAL RECORDS ACT", TO PROVIDE A PROCEDURE WHICH MUST BE FOLLOWED REGARDING APPLICATIONS FOR EXPUNGEMENT OF ALL CRIMINAL RECORDS, AND TO AUTHORIZE EACH SOLICITOR'S OFFICE IN THE STATE TO ADMINISTER THE PROCEDURE; TO AMEND SECTION 17-1-40, AS AMENDED, RELATING TO THE DESTRUCTION OF THE RECORDS OF CRIMINAL CHARGES THAT HAVE BEEN DISMISSED, SO AS TO PROVIDE THAT A PERSON WHO RETAINS CERTAIN TERMS CONTAINED IN A RECORD OF A CHARGE THAT HAS BEEN DISCHARGED OR DISMISSED IS IN CONTEMPT OF COURT; TO AUTHORIZE THE CODE COMMISSIONER TO CHANGE CERTAIN REFERENCES; BY ADDING SECTION 17-1-45 SO AS TO PROVIDE THAT THE SOUTH CAROLINA COURT ADMINISTRATION SHALL INCLUDE ON ALL BOND PAPERWORK AND COURTESY SUMMONS A NOTICE THAT INFORMS A PERSON OF HIS RIGHT TO FILE AN APPLICATION TO HAVE A RECORD EXPUNGED; TO AMEND SECTION 22-5-910, RELATING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A RECORD OF CERTAIN FIRST OFFENSE CONVICTIONS FOR CRIMINAL OFFENSES TRANSFERRED FROM GENERAL SESSIONS COURT MAY BE EXPUNGED; TO AMEND SECTION 22-5-920, RELATING TO A PERSON CONVICTED AS A YOUTHFUL OFFENDER, SO AS TO REVISE THE PERIOD OF TIME A PERSON CONVICTED AS A YOUTHFUL OFFENDER MUST WAIT BEFORE HE MAY APPLY TO HAVE HIS CRIMINAL RECORD EXPUNGED; TO AMEND SECTION 44-53-450, RELATING TO THE CONDITIONAL DISCHARGE OF A CONVICTION FOR CERTAIN ILLEGAL DRUG OFFENSES, SO AS TO REVISE THE AGE OF A PERSON WHO IS SUBJECT TO THE PROVISIONS OF THIS SECTION.

01/27/09	**Senate**	**Introduced and read first time SJ-16**
01/27/09	**Senate**	**Referred to Committee on Judiciary SJ-16**
02/03/09	**Senate**	**Referred to Subcommittee: Hutto (ch), Rose, Shoopman**