

Session 122 - (2017-2018)

H*3352 (Rat #0102, Act #0067 of 2017) General Bill, By W. Newton, Taylor, Norrell and Erickson
Similar (S 0099, S 0481, H 3482, H 4396)

Summary: Office of Freedom of Information Act Review

AN ACT TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RIGHTS TO INSPECT PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE ELECTRONIC TRANSMISSIONS AMONG THE RECORD FORMATS AVAILABLE FOR INSPECTION, TO PROVIDE CERTAIN LIMITATIONS APPLICABLE TO PRISONERS, TO PROVIDE PUBLIC BODIES ARE NOT REQUIRED TO CREATE ELECTRONIC VERSIONS OF PUBLIC RECORDS TO FULFILL RECORDS REQUESTS, TO REVISE REQUIREMENTS CONCERNING RECORDS REQUEST FULFILMENT FEES, TO PERMIT PUBLIC BODIES TO CHARGE CERTAIN DEPOSITS BEFORE SEARCHING AND COPYING PUBLIC RECORDS IN RESPONSE TO RECORDS REQUESTS, AND TO REVISE THE TIME LIMITS AND MANNER FOR RESPONDING TO RECORDS REQUESTS AND COMPLYING WITH THE PROVISIONS OF THE ACT; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE IN THE FREEDOM OF INFORMATION ACT, SO AS TO REVISE PROVISIONS CONCERNING LAW ENFORCEMENT RECORDS; TO AMEND SECTION 30-4-50, RELATING TO CATEGORIES OF MATTERS DECLARED TO BE PUBLIC INFORMATION IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE LAW ENFORCEMENT VEHICLE-MOUNTED VIDEOS AND AUDIO RECORDINGS OF CERTAIN INCIDENTS INVOLVING LAW ENFORCEMENT OFFICERS, TO PROVIDE PROCEDURES THROUGH WHICH ENFORCEMENT MAY SEEK EXEMPTION OF DISCLOSURE OF THE RECORDINGS FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDINGS, AND TO PROVIDE REQUIREMENTS FOR RELATED COURT ORDERS; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE TIME CONSTRAINTS WITHIN WHICH DETERMINATIVE HEARINGS ON THE REQUESTS FOR RELIEF MUST BE MADE; TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE CRIMINAL PENALTIES, AND TO PROVIDE RIGHTS AND REMEDIES OF PUBLIC BODIES FROM WHOM REQUESTS ARE MADE AND PERSONS WITH SPECIFIC INTERESTS IN EXEMPT INFORMATION FOR WHICH DISCLOSURE IS SOUGHT, AMONG OTHER THINGS; AND TO AMEND SECTION 30-2-50, RELATING TO THE PROHIBITION ON OBTAINING PERSONAL INFORMATION FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO EXTEND THE PROHIBITION TO INFORMATION OBTAINED FROM LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE STATE. - ratified title

12/15/16	House	Prefiled
12/15/16	House	Referred to Committee on Judiciary
01/10/17	House	Introduced and read first time (House Journal-page 171)
01/10/17	House	Referred to Committee on Judiciary (House Journal-page 171)
02/08/17	House	Committee report: Favorable with amendment Judiciary (House Journal-page 16)
02/09/17	House	Member(s) request name added as sponsor: Norrell
02/09/17		Scrivener's error corrected
02/14/17	House	Debate adjourned until Wed., 3-8-17 (House Journal-page 7)
02/16/17	House	Member(s) request name added as sponsor: Erickson
03/08/17	House	Debate adjourned until Wed., 3-22-17 (House Journal-page 8)
03/22/17	House	Amended (House Journal-page 18)
03/22/17	House	Read second time (House Journal-page 18)
03/22/17	House	Roll call Yeas-93 Nays-0 (House Journal-page 21)
03/23/17	House	Read third time and sent to Senate (House Journal-page 10)
03/23/17	Senate	Introduced and read first time (Senate Journal-page 8)
03/23/17	Senate	Referred to Committee on Judiciary (Senate Journal-page 8)
04/20/17	Senate	Referred to Subcommittee: Campsen (ch), Young, Fanning
05/03/17	Senate	Committee report: Favorable Judiciary (Senate Journal-page 14)
05/09/17	Senate	Amended (Senate Journal-page 64)
05/10/17	Senate	Amended (Senate Journal-page 53)
05/10/17	Senate	Read second time (Senate Journal-page 53)
05/10/17	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 53)
05/11/17		Scrivener's error corrected
05/11/17	Senate	Amended

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05/11/17	Senate	Read third time and returned to House with amendments (Senate Journal-page 43)
05/11/17	House	Concurred in Senate amendment and enrolled (House Journal-page 63)
05/11/17	House	Roll call Yeas-89 Nays-0 (House Journal-page 64)
05/15/17		Ratified R 102
05/19/17		Signed By Governor
05/26/17		Effective date 5/19/17
05/31/17		Act No. 67