Session 114 - (2001-2002)

H*3891 (Rat #0157, Act #0081 of 2001) General Bill, By Hayes

Summary: Child daycare centers, requirement caregiver to have high school diploma or GED Certificate deleted; Minors

A BILL TO AMEND SECTION 20-7-2735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATIONAL REQUIREMENTS FOR CERTAIN CHILD DAYCARE CAREGIVERS, SO AS TO ALLOW CAREGIVERS PREVENTED FROM MEETING THE EDUCATIONAL REQUIREMENTS DUE TO A DISABILITY TO SATISFY THIS REQUIREMENT WITH A CERTIFICATE OF HIGH SCHOOL COMPLETION AND TO EXEMPT CERTAIN OTHER CAREGIVERS FROM THIS REQUIREMENT; TO AMEND SECTION 16-16-20, AS AMENDED, RELATING TO COMPUTER CRIMES, SO AS TO REDUCE FROM TWENTY-FIVE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS THE AMOUNT OF GAIN THE OFFENDER RECEIVES OR THE AMOUNT OF LOSS THE VICTIM SUFFERS FOR COMPUTER CRIME IN THE FIRST DEGREE AND TO ALSO REDUCE FROM TWENTY-FIVE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS THE MAXIMUM GAIN OR LOSS REQUIRED FOR COMPUTER CRIME IN THE SECOND DEGREE; TO AMEND SECTION 16-3-850, RELATING TO REQUIRING FILM PROCESSORS TO REPORT TO LAW ENFORCEMENT A PERSON WITH FILM CONTAINING SEXUALLY EXPLICIT PICTURES OF MINORS, SO AS TO ALSO REQUIRE COMPUTER TECHNICIANS WHO VIEW SUCH IMAGES WHEN WORKING ON A COMPUTER TO REPORT THE OWNER OR PERSON IN POSSESSION OF THE COMPUTER; TO AMEND SECTION 16-3-1700, RELATING TO DEFINITIONS USED IN CONNECTION WITH HARASSMENT AND STALKING, SO AS TO INCLUDE WRITTEN AND ELECTRONIC CONTACT WITH VICTIMS WITHIN THE DEFINITIONS OF "HARASSMENT" AND "STALKING"; TO AMEND SECTION 16-14-20, AS AMENDED, RELATING TO FINANCIAL TRANSACTION CARD THEFT, SO AS TO ALSO INCLUDE IN SUCH THEFT THE TAKING, USING, OR SELLING OF A FINANCIAL TRANSACTION CARD NUMBER; TO AMEND SECTION 16-15-250, AS AMENDED, RELATING TO COMMUNICATING OBSCENE MESSAGES, SO AS TO INCLUDE COMMUNICATING BY PRINT OR TELEPHONE OR BY TRANSMITTING A DIGITAL ELECTRONIC FILE; AND TO AMEND SECTION 16-15-305, AS AMENDED, RELATING TO DISSEMINATION OF OBSCENITY, SO AS TO ALSO PROHIBIT THE DISSEMINATION OF AN OBSCENE DIGITAL ELECTRONIC FILE; TO AMEND SECTION 16-15-315, RELATING TO THE PROHIBITION AGAINST CONDITIONING SALES OF PUBLICATIONS ON THE PURCHASER RECEIVING OBSCENE PUBLICATIONS FOR RESALE, SO AS TO ALSO APPLY THE PROHIBITION TO THE SALE OR RECEIPT OF DIGITAL ELECTRONIC FILES; TO AMEND SECTION 16-15-325, RELATING TO PROHIBITING PARTICIPATION IN PREPARING OBSCENE MATERIAL FOR DISSEMINATION, SO AS TO ALSO PROHIBIT THE PREPARATION OF OBSCENE DIGITAL ELECTRONIC FILES; TO AMEND SECTION 16-15-375, AS AMENDED, RELATING TO DEFINITIONS USED IN CONNECTION WITH OBSCENE MATERIAL AND MINORS, SO AS TO INCLUDE DIGITAL ELECTRONIC FILES WITHIN THE DEFINITION OF "MATERIAL"; TO AMEND SECTION 16-15-395 AND SECTION 16-15-405, AS AMENDED, RELATING, RESPECTIVELY, TO FIRST DEGREE AND SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE IN THE FIRST DEGREE OFFENSE KNOWINGLY PRODUCING FOR SALE OR PECUNIARY GAIN A DIGITAL ELECTRONIC FILE CONTAINING A VISUAL REPRESENTATION OF A MINOR ENGAGED IN SEXUAL ACTIVITY AND IN THE SECOND DEGREE OFFENSE KNOWINGLY PRODUCING SUCH A FILE; TO AMEND SECTION 16-17-430, AS AMENDED, RELATING TO UNLAWFUL USE OF TELEPHONES, SO AS TO ALSO PROHIBIT CONTACTS BY ANY OTHER ELECTRONIC MEANS AND TO CHANGE FELONY VIOLATIONS TO MISDEMEANOR VIOLATIONS WITH REVISED PENALTIES; TO AMEND SECTION 16-17-470, AS AMENDED, RELATING TO EAVESDROPPING, PEEPING, AND VOYEURISM, SO AS TO INCLUDE IN THE CRIME OF VOYEURISM PRODUCING OR CREATING DIGITAL ELECTRONIC FILES, TO INCLUDE IN THE CRIME OF AGGRAVATED VOYEURISM KNOWINGLY SELLING OR DISTRIBUTING DIGITAL ELECTRONIC FILES, AND TO REQUIRE FORFEITURE OF THESE DIGITAL ELECTRONIC FILES; TO AMEND SECTION 16-17-640, RELATING TO BLACKMAIL, SO AS TO INCLUDE ELECTRONIC COMMUNICATIONS WITHIN THE PROHIBITED MEANS OF COMMITTING BLACKMAIL; AND TO AMEND SECTION 20-7-510, AS AMENDED, RELATING TO REPORTING CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE COMPUTER TECHNICIANS TO REPORT IF THE PERSON HAS REASON TO BELIEVE THAT A CHILD'S PHYSICAL OR MENTAL HEALTH OR WELFARE HAS BEEN OR MAY BE ADVERSELY AFFECTED BY ABUSE OR NEGLECT.-AMENDED TITLE

04/05/01	**House**	**Introduced and read first time HJ-14**
04/05/01	**House**	**Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-15**
05/16/01	**House**	**Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs HJ-11**
05/22/01	**House**	**Amended HJ-19**
05/22/01	**House**	**Read second time HJ-20**
05/23/01	**House**	**Read third time and sent to Senate HJ-30**

05/23/01	**Senate**	**Introduced and read first time SJ-6**
05/23/01	**Senate**	**Referred to Committee on Judiciary SJ-6**
05/31/01	**Senate**	**Recalled from Committee on Judiciary SJ-4**
06/06/01	**Senate**	**Amended SJ-118**
06/06/01	**Senate**	**Read second time SJ-118**
06/07/01	**Senate**	**Read third time and returned to House with amendments SJ-206**
06/07/01	**House**	**Non-concurrence in Senate amendment HJ-164**
06/07/01	**House**	**Reconsidered HJ-171**
06/07/01	**House**	**Senate amendment amended HJ-171**
06/07/01	**House**	**Returned to Senate with amendments HJ-172**
06/07/01	**Senate**	**Concurred in House amendment and enrolled SJ-244**
06/28/01		**Ratified R 157**
07/20/01		**Signed By Governor**
07/20/01		**Effective date 07/20/01**
08/09/01		**Copies available**
08/09/01		**Act No. 81**