Session 124 - (2021-2022)

H 3928 General Bill, By Stavrinakis

Similar (S 0078, S 0191)

Summary: Reporting of Information to SLED, Firearms Background Checks

A BILL TO AMEND SECTION 14-17-325, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT CLERKS OF COURT REPORT DISPOSITIONS OF CASES IN GENERAL SESSIONS COURT, SO AS TO REQUIRE THAT EVERY CLERK OF COURT SHALL REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT, AND ORDERS FOR BOND WITH ANY LIMITATIONS LISTED IN THIS SECTION; BY ADDING SECTION 22-1-200 SO AS TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT, AND ORDERS FOR BOND WITH ANY LIMITATIONS LISTED IN THIS SECTION; BY ADDING SECTION 14-25-250 SO AS TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT, AND ORDERS FOR BOND WITH ANY LIMITATIONS LISTED IN THIS SECTION; BY ADDING SECTION 23-1-250 SO AS TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO REPORT TO SLED WITHIN TWENTY-FOUR HOURS, THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; BY ADDING ARTICLE 9 TO CHAPTER 23, TITLE 16 SO AS TO DEFINE NECESSARY TERMS, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, OR UNTIL AT LEAST FIVE DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK AND THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM HAS NOT REPORTED THAT THE SALE WOULD VIOLATE STATE OR FEDERAL LAW, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE; AND TO PROVIDE FOR THE SUN SETTING OF THE FIVE-DAY BACKGROUND CHECK PROVISIONS UPON THE FULL IMPLEMENTATION OF THE REPORTING REQUIREMENTS OF THIS ACT BUT NOT LATER THAN TWO YEARS FROM THE EFFECTIVE DATE OF THE ACT.

02/18/21 House Introduced and read first time (House Journal-page 61)

02/18/21 House Referred to Committee on Judiciary (House Journal-page 61)