

Session 114 - (2001-2002)

H 4302 General Bill, By J. Young, G.M. Smith and Weeks

Summary: Magistrate, municipal courts; guilty or nolo contendere plea, bond forfeiture; same effect as conviction, Criminal cases

A BILL TO AMEND ARTICLE 7, CHAPTER 3 OF TITLE 22, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL PROCEDURE IN MAGISTRATES' COURT BY ADDING SECTION 22-3-715, SO AS TO PROVIDE THAT ENTRY OF GUILTY PLEA, FORFEITURE OF BOND POSTED, OR ENTRY OF A PLEA OF NOLO CONTENDERE HAS THE SAME EFFECT AS A CONVICTION AFTER TRIAL IN ANY CRIMINAL PROCEEDING WITHIN THE JURISDICTION OF MAGISTRATES' COURT AND TO PROVIDE THE COURT IS PROHIBITED FROM DISPOSING OF THE CASE FOR A TEN-DAY PERIOD FOLLOWING ARREST UNLESS THE DEFENDANT VOLUNTARILY ENTERS A PLEA OR FORFEITS BAIL; TO AMEND SECTION 14-25-45, RELATING TO MUNICIPAL COURT JURISDICTION SO AS TO REFERENCE SECTION 22-3-715; AND TO AMEND SECTION 56-5-6220, RELATING TO THE TEN-DAY PERIOD FOLLOWING AN ARREST FOR A TRAFFIC VIOLATION, SO AS TO MAKE TECHNICAL CHANGES.

06/20/01 House Introduced and read first time HJ-39

06/20/01 House Referred to Committee on Judiciary HJ-39