

## Session 116 - (2005-2006)

### H\*4735 (Rat #0455, Act #0400 of 2006) General Bill, By Harrison and Jennings

**Summary:** Fitness of person to stand trial

AN ACT TO AMEND SECTION 44-23-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EVALUATIONS FOR DETERMINING THE FITNESS OF A PERSON CHARGED WITH A CRIME TO STAND TRIAL, SO AS TO INCREASE FROM FIFTEEN DAYS TO THIRTY DAYS THE TIME WITHIN WHICH THE EVALUATION OF THE PERSON MUST BE COMPLETED AND TO AUTHORIZE THE EXAMINING ENTITY TO APPLY TO THE COURT FOR AN EXTENSION OF UP TO FIFTEEN DAYS; TO AMEND SECTION 44-23-420, RELATING TO THE FITNESS TO STAND TRIAL REPORT OF A DESIGNATED EXAMINER, SO AS TO INCREASE FROM FIVE TO TEN DAYS THE TIME WITHIN WHICH THE EXAMINER MUST SUBMIT THE REPORT; AND TO AMEND SECTION 44-23-430, RELATING TO COMPETENCY HEARINGS AND DISPOSITION OF CASES IN SUCH HEARINGS, SO AS TO DECREASE FROM SIXTY DAYS TO FOURTEEN DAYS THE TIME WITHIN WHICH THE SOLICITOR MUST INITIATE JUDICIAL COMMITMENT PROCEEDINGS FOR A PERSON FOUND TO BE UNFIT TO STAND TRIAL AND TO AUTHORIZE THE COURT TO CONTINUE THE PERSON IN DETENTION IF THE PERSON IS ALREADY DETAINED OR TO REMAIN ON BOND IF ALREADY ON BOND. -

ratified title

02/28/06	House	Introduced and read first time HJ-26
02/28/06	House	Referred to Committee on Judiciary HJ-27
04/05/06	House	Committee report: Favorable with amendment Judiciary HJ-2
04/06/06	House	Amended HJ-22
04/06/06	House	Read second time HJ-24
04/06/06	House	Unanimous consent for third reading on next legislative day HJ-24
04/06/06		Scrivener's error corrected
04/07/06	House	Read third time and sent to Senate
04/11/06	Senate	Introduced and read first time SJ-13
04/11/06	Senate	Referred to Committee on Judiciary SJ-13
04/11/06	Senate	Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant
05/24/06	Senate	Polled out of committee Judiciary SJ-20
05/24/06	Senate	Committee report: Favorable with amendment Judiciary SJ-20
05/25/06		Scrivener's error corrected
05/25/06	Senate	Amended SJ-34
05/25/06	Senate	Read second time SJ-34
05/26/06		Scrivener's error corrected
05/31/06	Senate	Read third time and returned to House with amendments SJ-120
06/01/06	House	Senate amendment amended HJ-46
06/01/06	House	Returned to Senate with amendments HJ-46
06/01/06	Senate	Non-concurrence in House amendment SJ-16
06/01/06	House	House insists upon amendment and conference committee appointed Reps. GM Smith, Delleney, and FN Smith HJ-208
06/01/06	Senate	Conference committee appointed Hutto, Sheheen, and Bryant SJ-18
06/14/06	House	Conference report received and adopted HJ-113
06/14/06	Senate	Conference report adopted SJ-143
06/14/06	Senate	Ordered enrolled for ratification SJ-148
06/14/06		Ratified R 455
09/29/06		Signed By Governor
10/04/06		Copies available
10/04/06		Effective date 09/29/06
10/09/06		Act No. 400