

## Session 112 - (1997-1998)

**H\*4821 (Rat #0518, Act #0385 of 1998) General Bill, By Jennings**

**Similar (S 1121)**

A BILL TO AMEND CHAPTER 17, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL OFFENSES AGAINST PUBLIC POLICY, BY ADDING SECTION 16-17-735 SO AS TO PROHIBIT THE IMPERSONATION OF A STATE OR LOCAL OFFICIAL OR EMPLOYEE IN CONNECTION WITH A SHAM LEGAL PROCESS AND TO PROVIDE PENALTIES; TO AMEND CHAPTER 9, TITLE 30, RELATING TO INDEXING AND FILING OF WRITTEN INSTRUMENTS, BY ADDING SECTION 30-9-35 SO AS TO PROHIBIT THE FILING OF A JUDGMENT OR OTHER LIEN AGAINST A FEDERAL, STATE, OR LOCAL OFFICIAL OR EMPLOYEE WITHOUT A COURT OR ADMINISTRATIVE ORDER OR OTHER PROPER AUTHORIZATION, TO PROVIDE A PROCEDURE FOR REMOVING AN INVALID LIEN, AND TO PROVIDE FOR CIVIL REMEDIES FOR A PERSON INJURED BY THE FILING OF AN INVALID LIEN INCLUDING COURT COSTS AND ATTORNEY'S FEES; TO AMEND SECTION 30-9-30, AS AMENDED, RELATING TO FILING OF WRITTEN INSTRUMENTS, SO AS TO ALLOW A CLERK OF COURT OR REGISTER OF DEEDS TO REFUSE TO ACCEPT A DOCUMENT FOR FILING IF HE REASONABLY BELIEVES IT IS FALSE OR FRAUDULENT OR IS A SHAM LEGAL PROCESS, TO REQUIRE A RETURN ADDRESS ON EACH DOCUMENT FILED, AND TO ALLOW TEN BUSINESS DAYS FOR THE DOCUMENT TO BE AFFIRMED BY AFFIDAVIT AS GENUINE BEFORE REMOVAL FROM THE PUBLIC RECORDS OR BEFORE FINAL REFUSAL TO FILE; AND TO AMEND CHAPTER 75, TITLE 15, RELATING TO CIVIL ACTIONS FOR WRONGFUL CONDUCT BY ADDING SECTION 15-75-60, SO AS TO PROVIDE FOR CIVIL REMEDIES FOR INJURY BY A SHAM LEGAL PROCESS, TO INCLUDE COURT COSTS AND REASONABLE ATTORNEY'S FEES.-AMENDED TITLE

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|----------|--------|--|
| 03/18/98 | House  | Introduced and read first time HJ-18   |
| 03/18/98 | House  | Referred to Committee on Judiciary HJ-19   |
| 04/16/98 | House  | Committee report: Favorable with amendment Judiciary HJ-3  |
| 04/22/98 | House  | Amended HJ-14  |
| 04/22/98 | House  | Requests for debate-Rep(s). Tripp, Loftis, Leach, Cato, Vaughn, Hamilton, Davenport, Mason, R. Smith, Whatley & Knotts HJ-19 |
| 04/22/98 | House  | Read second time HJ-45   |
| 04/22/98 | House  | Roll call Yeas-106 Nays-1 HJ-47  |
| 04/23/98 | House  | Requests for debate removed-Rep(s). R. Smith HJ-22   |
| 04/23/98 | House  | Read third time and sent to Senate HJ-23   |
| 04/28/98 | Senate | Introduced and read first time SJ-8  |
| 04/28/98 | Senate | Referred to Committee on Judiciary SJ-8  |
| 05/27/98 | Senate | Committee report: Favorable with amendment Judiciary SJ-18   |
| 05/28/98 | Senate | Amended SJ-52  |
| 05/28/98 | Senate | Read second time SJ-52   |
| 05/28/98 | Senate | Ordered to third reading with notice of amendments SJ-52   |
| 06/04/98 | Senate | Read third time and returned to House with amendments SJ-31  |
| 06/04/98 | House  | Concurred in Senate amendment and enrolled HJ-107  |
| 06/10/98 |        | Ratified R 518   |
| 06/12/98 |        | Signed By Governor   |
| 06/12/98 |        | Effective date 06/12/98  |
| 06/18/98 |        | Copies available   |
| 06/30/98 |        | Act No. 385  |