

Session 113 - (1999-2000)

S 0820 General Bill, By Holland, McConnell and Giese

Summary: Crimes and Offenses, Courts, Harassment, Stalking, Restraining orders, Bail

A BILL TO AMEND SECTION 16-3-1700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF "HARASSMENT", SO AS TO INCLUDE WRITTEN OR ELECTRONIC COMMUNICATION; TO AMEND SECTION 16-3-1720, AS AMENDED, RELATING TO PENALTIES UPON CONVICTION FOR STALKING, SO AS TO INCREASE THE LENGTH OF MANDATORY IMPRISONMENT; TO AMEND SECTION 16-3-1750, RELATING TO AN ACTION SEEKING A RESTRAINING ORDER AGAINST A PERSON ENGAGED IN HARASSMENT OR STALKING, SO AS TO REQUIRE THAT WHEN A RESTRAINING ORDER IS ISSUED AS A CONDITION OF BOND, A COPY OF THE RESTRAINING ORDER MUST BE SENT BY THE COURT TO THE VICTIM, AND TO FURTHER PROVIDE FOR THE EXPANSION OF JURISDICTION AND VENUE, SO AS TO GRANT JURISDICTION TO MUNICIPAL COURTS; AND TO FURTHER REQUIRE THAT MUNICIPAL COURTS PROVIDE FORMS TO FACILITATE THE PREPARATION AND FILING OF A COMPLAINT AND MOTION FOR A RESTRAINING ORDER BY A PLAINTIFF NOT REPRESENTED BY COUNSEL; TO AMEND SECTION 16-3-1790, AS AMENDED, RELATING TO SERVICE OF CERTIFIED COPIES OF RESTRAINING ORDERS, SO AS TO ALLOW SERVICE TO BE MADE BY MAIL RETURN RECEIPT TO DEFENDANT'S LAST KNOWN ADDRESS; AND TO AMEND SECTION 16-3-1840, RELATING TO A MENTAL HEALTH EVALUATION AS A CONDITION OF BAIL, SO AS TO REQUIRE THAT THE EVALUATION BE MADE BEFORE BAIL IS SET; AND TO FURTHER REQUIRE THAT THE EVALUATION BE SCHEDULED WITHIN TEN DAYS OF THE ORDER'S ISSUANCE, THAT THE REPORT BE ISSUED WITHIN FORTY-EIGHT HOURS OF EVALUATION, AND THAT THE SOLICITOR ARRANGE FOR A BOND HEARING UPON RECEIPT OF THE REPORT BEFORE A CIRCUIT COURT JUDGE.

05/13/99	Senate	Introduced and read first time SJ-16
05/13/99	Senate	Referred to Committee on Judiciary SJ-16
04/19/00	Senate	Committee report: Favorable with amendment Judiciary SJ-12
04/20/00	Senate	Amended SJ-39
04/20/00	Senate	Read second time SJ-39
04/25/00	Senate	Read third time and sent to House SJ-33
04/26/00	House	Introduced and read first time HJ-12
04/26/00	House	Referred to Committee on Judiciary HJ-12