**South Carolina General Assembly**

118th Session, 2009-2010

**A77, R91, H3087**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Brady and M.A. Pitts

Document Path: l:\council\bills\swb\5615cm09.docx

Introduced in the House on January 13, 2009

Introduced in the Senate on April 30, 2009

Passed by the General Assembly on May 21, 2009

Governor's Action: June 2, 2009, Vetoed

Legislative veto action(s): Veto overridden

Summary: Sex offenders

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/9/2008 House Prefiled

 12/9/2008 House Referred to Committee on **Judiciary**

 1/13/2009 House Introduced and read first time [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C01-13-09.docx)‑45

 1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C01-13-09.docx)‑45

 4/22/2009 House Committee report: Favorable **Judiciary** [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C04-22-09.docx)‑8

 4/28/2009 House Read second time [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C04-28-09.docx)‑27

 4/29/2009 House Read third time and sent to Senate [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C04-29-09.docx)‑21

 4/30/2009 Senate Introduced and read first time [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C04-30-09.docx)‑12

 4/30/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C04-30-09.docx)‑12

 5/5/2009 Senate Referred to Subcommittee: Hutto (ch), Rose, Shoopman

 5/14/2009 Senate Committee report: Favorable with amendment **Judiciary** [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C05-14-09.docx)‑11

 5/19/2009 Senate Committee Amendment Adopted [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C05-19-09.docx)‑26

 5/19/2009 Senate Read second time [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C05-19-09.docx)‑26

 5/20/2009 Scrivener's error corrected

 5/20/2009 Senate Read third time and returned to House with amendments [SJ](file:///h%3A%5CSJ%20Archive%5C2009%5C05-20-09.docx)‑62

 5/21/2009 House Concurred in Senate amendment and enrolled [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C05-21-09.docx)‑53

 5/21/2009 House Roll call Yeas‑102 Nays‑0 [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C05-21-09.docx)‑53

 5/27/2009 Ratified R 91

 6/2/2009 Vetoed by Governor

 6/16/2009 House Veto overridden by originating body Yeas‑77 Nays‑38 [HJ](file:///h%3A%5CHJ%20Archive%5C2009%5C06-16-09.docx)‑104

 6/16/2009 Senate Veto overridden Yeas‑29 Nays‑14

 6/22/2009 Effective date 06/16/09

 6/24/2009 Act No. 77

**VERSIONS OF THIS BILL**

[12/9/2008](file:///p%3A%5Cpprever%5C2009-10%5C3087_20081209.docx)

[4/22/2009](file:///p%3A%5Cpprever%5C2009-10%5C3087_20090422.docx)

[5/14/2009](file:///p%3A%5Cpprever%5C2009-10%5C3087_20090514.docx)

[5/19/2009](file:///p%3A%5Cpprever%5C2009-10%5C3087_20090519.docx)

[5/20/2009](file:///p%3A%5Cpprever%5C2009-10%5C3087_20090520.docx)

(A77, R91, H3087)

**AN ACT TO AMEND SECTION 23‑3‑535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE FOR SEX OFFENDERS, SO AS TO PROVIDE THAT A LOCAL GOVERNMENT MAY NOT ENACT AN ORDINANCE THAT EXPANDS OR CONTRACTS THE BOUNDARIES OF THE AREAS IN WHICH A SEX OFFENDER MAY OR MAY NOT RESIDE THAT ARE CONTAINED IN THIS SECTION; AND TO AMEND ACT 333 OF 2008, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE FOR SEX OFFENDERS AND PENALTIES FOR FAILURE TO REGISTER AS A SEX OFFENDER, SO AS TO PROVIDE AN EFFECTIVE DATE FOR VARIOUS PORTIONS OF THIS ACT.**

Be it enacted by the General Assembly of the State of South Carolina:

**Limitations on places of residence of a sex offender**

SECTION 1. Section 23‑3‑535(E) of the 1976 Code, as added by Act 333 of 2008, is amended to read:

 “(E) A local government may not enact an ordinance that:

 (1) contains penalties that exceed or are less lenient than the penalties contained in this section; or

 (2) expands or contracts the boundaries of areas in which a sex offender may or may not reside as contained in subsection (B).”

**Revised time effective date**

SECTION 2. SECTION 2 of Act 333 of 2008 shall take effect upon approval of this act by the Governor. All other sections of Act 333 of 2008 shall take effect as provided in SECTION 4 of Act 333 of 2008.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 27th day of May, 2009.

Vetoed by the Governor -- 6/2/09.

Veto overridden by House -- 6/16/09.

Veto overridden by Senate -- 6/16/09.

\_\_\_\_\_\_\_\_\_\_