~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT AMENDED AND ADOPTED

March 4, 2010

**S. 718**

Introduced by Senators Campsen and Malloy

S. Printed 3/4/10--S.

Read the first time April 15, 2009.

**A** **BILL**

TO AMEND SECTION 22‑3‑550 OF THE 1976 CODE, RELATING TO ORDERING RESTITUTION IN MAGISTRATE’S COURT, TO PROVIDE THAT A MAGISTRATE HAS JURISDICTION OF ALL OFFENSES WHICH MAY BE SUBJECT TO THE PENALTIES OF A FINE OR FORFEITURE NOT EXCEEDING ONE THOUSAND DOLLARS AND TO PROVIDE THAT A MAGISTRATE MAY ORDER RESTITUTION IN AN AMOUNT NOT TO EXCEED THE CIVIL JURISDICTIONAL AMOUNT FOR MAGISTRATES.

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

SECTION 1. Section 22‑3‑550(A) of the 1976 Code is amended to read:

“(A) Magistrates have jurisdiction of all offenses which may be subject to the penalties of a fine or forfeiture not exceeding ~~five hundred~~ one thousand dollars, or imprisonment not exceeding thirty days, or both. In addition, a magistrate may order restitution in an amount not to exceed ~~five thousand dollars~~ the civil jurisdictional amount provided in Section 22‑3‑10(2). In determining the amount of restitution, the judge shall determine and itemize the actual amount of damage or loss in the order. In addition, the judge may set an appropriate payment schedule.

A magistrate may hold a party in contempt for failure to pay the restitution ordered if the judge finds the party has the ability to pay and may issue a contempt sentence not exceeding a fine of one thousand dollars, or imprisonment not exceeding thirty days, or both.”

SECTION 2. This act takes effect upon approval by the Governor.

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