**A** **BILL**

TO AMEND SECTION 20‑4‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEARINGS REGARDING ORDERS OF PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE FOR A TEN‑DAY TEMPORARY ORDER OF PROTECTION FOR ABUSED PERSONS OR PERSONS ON WHOSE BEHALF A PETITION IS FILED.

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

SECTION 1. Section 20‑4‑50 of the 1976 Code, as last amended by Act 329 of 2002, is further amended to read:

“Section 20‑4‑50. (~~a~~A) Within twenty‑four hours after service of a petition ~~under~~ pursuant to the provisions of this chapter upon the respondent, the court ~~may~~, for good cause shown, may hold an emergency hearing and issue an order of protection if the petitioner proves the allegation of abuse by a preponderance of the evidence. A prima facie showing of immediate and present danger of bodily injury, which may be verified by supporting affidavits, constitutes good cause for purposes of this section.

(~~b~~B) If the court denies the motion for a twenty‑four‑hour hearing or ~~such~~ a hearing is not requested, the petitioner may request and the court must grant the petitioner a ten‑day temporary order of protection and schedule a hearing within fifteen days of the filing of a petition. The court must cause a copy of the petition to be served upon the respondent at least five days prior to the hearing, except as provided in subsection (~~a~~A), in the same manner required for service in the circuit courts. ~~Where~~ When service is not accomplished five days prior to the hearing, the respondent, upon his motion, is entitled to a continuance until such time is necessary to provide for compliance with this section.”

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

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