**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3040**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and G.R. Smith

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Introduced in the House on January 8, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Seized property

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 61](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 61](file:///h:\HJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3040_20121211.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑13‑180 SO AS TO PROVIDE THAT ANY PROPERTY SEIZED BY A LAW ENFORCEMENT AGENCY PURSUANT TO OR WITHOUT A WARRANT MUST BE RETURNED TO ITS LAWFUL OWNER WITHIN THIRTY DAYS OF ITS SEIZURE UNLESS A COURT DETERMINES THAT PROBABLE CAUSE EXISTS TO ALLOW THE LAW ENFORCEMENT AGENCY TO MAINTAIN POSSESSION OF THE PROPERTY.

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

SECTION 1. Chapter 13, Title 17 of the 1976 Code is amended by adding:

“Section 17‑13‑180. Any property seized by a law enforcement agency pursuant to or without a warrant must be returned to its lawful owner within thirty days of its seizure unless a court determines that probable cause exists to allow the law enforcement agency to maintain possession of the property.”

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

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