**South Carolina General Assembly**

120th Session, 2013-2014

**A247, R276, S894**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Massey and Alexander

Document Path: l:\s-res\asm\013surc.hm.asm.docx

Companion/Similar bill(s): 4472

Introduced in the Senate on January 14, 2014

Introduced in the House on May 27, 2014

Last Amended on April 2, 2014

Passed by the General Assembly on May 30, 2014

Governor's Action: June 6, 2014, Signed

Summary: Criminal Justice Academy

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/17/2013 Senate Prefiled

12/17/2013 Senate Referred to Committee on **Judiciary**

1/14/2014 Senate Introduced and read first time ([Senate Journal‑page 63](file:///H:\SJ%20Archive\2014\01-14-14.docx))

1/14/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 63](file:///H:\SJ%20Archive\2014\01-14-14.docx))

1/22/2014 Senate Referred to Subcommittee: Hembree (ch), Massey, McElveen

3/26/2014 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\03-26-14.docx))

4/2/2014 Senate Committee Amendment Adopted ([Senate Journal‑page 18](file:///H:\SJ%20Archive\2014\04-02-14.docx))

4/2/2014 Senate Amended ([Senate Journal‑page 18](file:///H:\SJ%20Archive\2014\04-02-14.docx))

5/20/2014 Senate Read second time ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\05-20-14.docx))

5/20/2014 Senate Roll call Ayes‑25 Nays‑18 ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\05-20-14.docx))

5/22/2014 Senate Read third time and sent to House ([Senate Journal‑page 16](file:///H:\SJ%20Archive\2014\05-22-14.docx))

5/27/2014 House Introduced and read first time ([House Journal‑page 2](file:///H:\HJ%20Archive\2014\05-27-14.docx))

5/27/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 2](file:///H:\HJ%20Archive\2014\05-27-14.docx))

5/28/2014 House Recalled from Committee on **Judiciary** ([House Journal‑page 37](file:///H:\HJ%20Archive\2014\05-28-14.docx))

5/29/2014 House Read second time ([House Journal‑page 60](file:///H:\HJ%20Archive\2014\05-29-14.docx))

5/29/2014 House Roll call Yeas‑89 Nays‑0 ([House Journal‑page 60](file:///H:\HJ%20Archive\2014\05-29-14.docx))

5/29/2014 House Unanimous consent for third reading on next legislative day ([House Journal‑page 61](file:///H:\HJ%20Archive\2014\05-29-14.docx))

5/30/2014 House Read third time and enrolled

6/5/2014 Ratified R 276

6/6/2014 Signed By Governor

6/13/2014 Effective date See Act for Effective Date

6/16/2014 Act No. 247

**VERSIONS OF THIS BILL**

[12/17/2013](file:///p:\pprever\2013-14\894_20131217.docx)

[3/26/2014](file:///p:\pprever\2013-14\894_20140326.docx)

[4/2/2014](file:///p:\pprever\2013-14\894_20140402.docx)

[5/28/2014](file:///p:\pprever\2013-14\894_20140528.docx)

(A247, R276, S894)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑1‑240 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST BE LEVIED ON ALL FINES, FORFEITURES, ESCHEATMENTS, OR OTHER MONETARY PENALTIES IMPOSED IN THE GENERAL SESSIONS COURT OR IN MAGISTRATES OR MUNICIPAL COURT FOR MISDEMEANOR TRAFFIC OFFENSES OR FOR NONTRAFFIC VIOLATIONS, TO PROVIDE FOR THE TRANSMITTAL OF REVENUE COLLECTED FROM THE SURCHARGE, TO PROVIDE FOR THE EXAMINATION OF FINANCIAL RECORDS BY THE STATE AUDITOR UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE ACT SHALL SUNSET ON JUNE 30, 2016.**

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

**South Carolina Criminal Justice Academy, five dollar surcharge on certain misdemeanor traffic offenses or nontraffic violations**

SECTION 1. Chapter 1, Title 14 of the 1976 Code is amended by adding:

“Section 14‑1‑240. (A) In addition to all other assessments and surcharges required to be imposed by law, a five dollar surcharge to fund training at the South Carolina Criminal Justice Academy is also levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates or municipal court for misdemeanor traffic offenses or for nontraffic violations. No portion of this surcharge may be waived, reduced, or suspended. The additional surcharge imposed by this section does not apply to parking citations.

(B) The revenue collected pursuant to subsection (A) must be collected by the jurisdiction which heard or processed the case and transmitted pursuant to the guidelines in Section 14‑1‑220. The funds should be clearly designated as Criminal Justice Academy Surcharge Collections when transmitted to the municipal and county treasurer and then to the State Treasurer. The State Treasurer shall transfer the revenue quarterly to the South Carolina Criminal Justice Academy.

(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to subsection (B). The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor and terminates on June 30, 2016. All funds collected by the date of termination shall be forwarded to the State Treasurer and then to the South Carolina Criminal Justice Academy.

Ratified the 5th day of June, 2014.

Approved the 6th day of June, 2014.

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