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Indicates New Matter

COMMITTEE REPORT

February 27, 2013

**H. 3451**

Introduced by Reps. Tallon, Cole, Forrester, Kennedy, Murphy, Pope, Rutherford and Weeks

S. Printed 2/27/13--H.

Read the first time January 30, 2013.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3451) to amend Section 56‑7‑10, as amended, Code of Laws of South Carolina, 1976, relating to the offenses that a person may be charged on a uniform, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 56-7-10 of the 1976 Code, as last amended by Act 68 of 2005, is further amended to read:

“Section 56-7-10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense Citation

Interfering with Police Officer

Serving Process Section 16‑5‑50

Dumping Trash on

Highway/Private Property Section 16‑11‑700

Indecent Exposure Section 16‑15‑130

Disorderly Conduct Section 16‑17‑530

Damaging Highway Section 57‑7‑10

Place Glass, Nails, Etc. on Highway Section 57‑7‑20

Obstruction of Highway by

Railroad Cars, Etc. Section 57‑7‑240

Signs Permitted on Interstate Section 57‑25‑140

Brown Bagging Section 61‑5‑20

Drinking Liquors in Public Conveyance Section 61‑13‑360

Poles Dragging on Highway Section 57‑7‑80

Open Container Section 61‑9‑87

Purchase or Possession of Beer or Wine

by a Person Under Age Section 63‑19‑2440 Purchase or Possession of Alcoholic

Liquor by a Person

Under Age Twenty‑One Section 63‑19‑2450

Unlawful Possession and Consumption of

Alcoholic Liquors Section 61‑5‑30

Sale of Beer or Wine on Which Tax

Has Not Been Paid Section 61‑9‑20

Falsification of Age to Purchase

Beer or Wine Section 61‑9‑50

Unlawful Purchase of Beer or Wine for

a Person Who Cannot Legally Buy Section 61‑9‑60

Unlawful Sale or Purchase of Beer

or Wine, Giving False

Information as to Age, Buying Beer

or Wine Unlawfully for Another Section 61‑9‑85

Employment of a Person Under the

Age of Twenty‑One as an Employee

in Retail orWholesale or Manufacturing

Liquor Business Section 61‑13‑340

Failure to Remove Doors from

Abandoned Refrigerators Section 16‑3‑1010

Malicious Injury to Animals

or Personal Property Section 16‑11‑510

Timber, Logs, or Lumber Cutting,

Removing, Transporting

Without Permission, Valued at

Less Than Fifty Dollars Section 16‑11‑580

Littering Section 16‑11‑700

Larceny of a Bicycle Valued at

Less Than One Hundred Dollars Section 16‑13‑80

Shoplifting Section 16-13-110

Cock Fighting Section 16‑17‑650

Ticket Scalping Section 16‑17‑710

Criminal Domestic Violence Section 16-25-20

Glue Sniffing Section 44‑53‑1110

Trespassing Section 16‑11‑755

Trespassing Section 16‑11‑600

Trespassing Section 16‑11‑610

Trespassing Section 16‑11‑620

Negligent Operation of Watercraft;

Operation of Watercraft

While Under Influence

of Alcohol or Drugs Section 50‑21‑110

Negligence of Boat Livery to Provide

Proper Equipment and Registration Section 50‑21‑120

Interference with Aids to Navigation or

Regulatory Markers or Operation

of Watercraft in Prohibited Area Section 50‑21‑170

Operation of Watercraft Without

a Certificate of Title Section 50‑23‑190

Parking on private property

without permission Section 16‑11‑760

Certificate of Veterinary Inspection;

Requirement for Out‑of‑State

Livestock or Poultry Section 47‑4‑60

Inhibition of Livestock Inspection Section 47‑4‑120

Imported Swine Section 47‑6‑50

Operating Equine Sales Facility

or Livestock Market Without Permit Section 47‑11‑20

Liability of Person Removing Livestock

for Slaughter Section 47‑11‑120

Notice to Disinfect Section 47‑13‑310

Quarantine of Livestock or Poultry Section 47‑4‑70

Unlawful for Horse to Enter State

Unless Tested Section 47‑13‑1350

Quarantine of Exposed Horses Section 47‑13‑1360

Proof of Test Required for Public Assembly

of Horses Section 47‑13‑1370

False Certificates Section 47‑13‑1390

Unlawful to Feed Garbage to Swine Section 47‑15‑20

Notification Required from Certain

Persons Disposing of Garbage Section 47‑15‑40

Sale of Uninspected Meat and

Meat Products Section 47‑17‑60

Sale of Uninspected Poultry and

Poultry Product Section 47‑19‑70

(B) In addition to the offenses contained in subsection (A), a uniform traffic ticket may be used in an arrest for a misdemeanor offense within the jurisdiction of magistrates court that has been freshly committed or is committed in the presence of a law enforcement officer.

(C) No other ticket may be used for these offenses. The service of the uniform traffic ticket shall vest all traffic, recorders', and magistrates' courts with jurisdiction to hear and to dispose of the charge for which the ticket was issued and served. This ticket will be designed by the department and approved by the Attorney General within thirty days of submission by the department. A law enforcement agency may utilize computers and other electronic devices to issue uniform traffic citations and store information resulting from the issuance of a traffic citation if this method of issuing a citation has been approved by the Department of Public Safety.”

SECTION 2. Section 56-7-15 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 56-7-15. (A) The uniform traffic ticket, established pursuant to the provisions of Section 56‑7‑10, may be used by law enforcement officers to arrest a person for an offense that has been freshly committed or is committed in the presence of a law enforcement officer if the punishment is within the jurisdiction of magistrates court and municipal court. A law enforcement agency processing an arrest made pursuant to this section must furnish the information to the State Law Enforcement Division as required in Chapter 3, Title 23.

(B) An officer who effects an arrest, by use of a uniform traffic ticket, for a violation of Chapter 25, Title 16 or Section 16-13-110 shall complete and file an incident report immediately following the issuance of the uniform traffic ticket.”

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

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 56‑7‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES THAT A PERSON MAY BE CHARGED ON A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT THE OFFENSES OF SHOPLIFTING AND CRIMINAL DOMESTIC VIOLENCE MUST BE CHARGED ON A UNIFORM TRAFFIC TICKET.

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

SECTION 1. The first paragraph of Section 56‑7‑10 is amended by adding at the end:

“Shoplifting Section 16‑13‑110

Criminal Domestic Violence Section 16‑25‑20.”

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

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