**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑1‑219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH AN ELECTRONIC TICKET OR CITATION WAS ISSUED, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SURCHARGE.

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

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

“Section 14‑1‑219. (A) In addition to all other assessments and surcharges, a five dollar surcharge is imposed upon all fines, forfeitures, escheatment, or other monetary penalties imposed in general sessions, magistrates, and municipal court for misdemeanor traffic offenses and for nontraffic violations which an electronic ticket or citation was issued. No portion of the surcharge may be waived, reduced, or suspended.

(B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall allocate and transfer quarterly the revenue as follows:

(1) twenty percent to the Office of Court Administration; and

(2) eighty percent to the law enforcement agency that prepares the citation or ticket.

(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting revenues that are required to be paid to the State Treasurer pursuant to subsection (A). The State Treasurer also is authorized to conduct those examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

(D) All funds derived from this surcharge must be used for procurement of electronic citation systems equipment and maintenance and repair of these systems.”

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

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