**A** **BILL**

TO AMEND SECTION 34‑11‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17‑22‑910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

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

SECTION 1. Section 34‑11‑90 of the 1976 Code is amended by adding a subsection at the end to read:

“(f) notwithstanding another provision of law, if a defendant receives multiple convictions within a three‑year period of time in magistrates court for a violation of this section, the defendant may, after ten years from the date of the last conviction, apply or cause someone acting on his behalf to apply, to the court for an order expunging the records of arrest and the multiple convictions. This provision does not apply to any crime classified as a felony. If the defendant receives no other convictions during the ten‑year period following the last conviction under this section, the court must issue an order expunging the records. No person may take advantage of the rights permitted by this subsection more than once.”

SECTION 2. Section 17‑22‑910(A)(1) of the 1976 Code is amended to read:

“(1) Section 34‑11‑90(e), first offense misdemeanor fraudulent check or Section 34‑11‑90(f), multiple misdemeanor offenses of fraudulent check;”

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

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