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AGENDA

The House Judiciary Committee will meet on **Tuesday, March 5, 2024, at 2:30 pm or 30 minutes after adjournment of the House, whichever is later, in Room 516** of the Blatt Building, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable

H.3776 – Rep. Bannister TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION **14-5-130** RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

Favorable

H.4561 - Rep. Wetmore TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION **8-13-1348**, RELATING TO USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO ALLOW A CANDIDATE OR PUBLIC OFFICIAL TO USE CAMPAIGN FUNDS FOR DEPENDENT CARE OF AN IMMEDIATE FAMILY MEMBER IN CERTAIN CIRCUMSTANCES AND TO DEFINE "DEPENDENT CARE".

Favorable

H.4563 – Rep. Bernstein

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

FAMILY, BUSINESS, AND PROBATE LAW SUBCOMMITTEE

Favorable with Amendment

H.4234 – Rep. W. Newton TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

SPECIAL LAWS SUBCOMMITTEE

Favorable with Amendment

H.4642 - Rep. Mitchell TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [25-1-20](#), RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING

SECTION [25-1-40](#), RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION [25-1-2420](#), RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION [25-1-2430](#), RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION [25-1-2520](#), RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION [25-1-2530](#), RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION [25-1-2550](#), RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION [25-1-2560](#), RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION [25-1-2570](#), RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION [25-1-2620](#), RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION [25-1-2765](#), RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION [25-1-2780](#), RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION [25-1-2795](#), RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION [25-1-2805](#), RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION [25-1-2865](#), RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION [25-1-2985](#), RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION [25-1-3140](#), RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION [25-1-3145](#), RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION [25-1-3160](#), RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

Favorable

H.4813 – Rep. Wooten TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [23-23-60](#), RELATING TO CERTIFICATES OF COMPLIANCE ISSUED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE INDIVIDUALS SEEKING CERTIFICATION MUST UNDERGO CRIMINAL RECORDS CHECKS, TO PROVIDE SLED AND THE FBI MAY RETAIN THE INDIVIDUALS' FINGERPRINTS FOR VARIOUS PURPOSES, AND TO PROVIDE THE INDIVIDUALS SHALL BE RESPONSIBLE FOR THE COSTS OF THE RECORDS CHECKS.