

Session 122 - (2017-2018)

H 4830 General Bill, By Delleney and Pope

Summary: Affidavits

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-3-47 SO AS TO REQUIRE CERTAIN INFORMATION TO BE CONTAINED ON ALL AFFIDAVITS OF INDIGENCY AND APPLICATION FOR COUNSEL FORMS, TO REQUIRE CERTAIN CERTIFICATIONS REGARDING THE WILFUL PROVISION OF FALSE INFORMATION ON A FORM, REQUIRE THE FORM TO BE NOTARIZED, PROVIDE FOR NOTIFICATION TO THE COURT WHEN THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES OR AN APPOINTED ATTORNEY FINDS THAT A DEFENDANT IS FINANCIALLY ABLE TO EMPLOY COUNSEL OR CONTRIBUTE TO THE COSTS OF EMPLOYING COUNSEL, AND TO PROVIDE A PROCEDURE FOR THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO FOLLOW TO AID THE COURT WHEN DETERMINING IF INDIGENCY EXISTS; BY ADDING SECTION 17-3-48 SO AS TO CREATE THE OFFENSE OF WILFULLY PROVIDING FALSE, MISLEADING, OR INCOMPLETE INFORMATION ON AN AFFIDAVIT FOR INDIGENCY AND APPLICATION FOR COUNSEL FORM AND TO PROVIDE A PENALTY; AND TO DIRECT THE SOUTH CAROLINA COURT ADMINISTRATION TO REVISE THE AFFIDAVITS OF INDIGENCY AND APPLICATION FOR COUNSEL FORMS FOR PUBLICATION BY THE SUPREME COURT, TO DIRECT THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO REPORT TO THE GENERAL ASSEMBLY BY JANUARY FIFTEENTH OF EACH YEAR ON THE NUMBER OF AFFIDAVITS BOTH ACCEPTED AND REJECTED ALONG WITH AN EXPLANATION OF THOSE AFFIDAVITS REJECTED AND THE GROUNDS UPON WHICH THEY WERE REJECTED, AND TO REQUIRE THAT THE RESPECTIVE LEGISLATIVE OVERSIGHT COMMITTEES INCLUDE THE REVIEW OF THESE REPORTS IN THEIR REGULARLY SCHEDULED REVIEW OF THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

02/01/18	House	Introduced and read first time (House Journal-page 24)
02/01/18	House	Referred to Committee on Judiciary (House Journal-page 24)
03/01/18	House	Committee report: Favorable with amendment Judiciary (House Journal-page 4)
03/08/18	House	Amended (House Journal-page 44)
03/08/18	House	Read second time (House Journal-page 44)
03/08/18	House	Roll call Yeas-97 Nays-1 (House Journal-page 59)
03/08/18	House	Unanimous consent for third reading on next legislative day (House Journal-page 60)
03/09/18	House	Read third time and sent to Senate (House Journal-page 2)
03/09/18		Scrivener's error corrected
03/13/18	Senate	Introduced and read first time (Senate Journal-page 10)
03/13/18	Senate	Referred to Committee on Judiciary (Senate Journal-page 10)