

Session 110 - (1993-1994)

S 1200 General Bill, By Hayes, Jackson, H.S. Stilwell and Waldrep

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 14-1-205 so as to provide that all costs, fees, fines, penalties, forfeitures, and other revenue generated by the circuit courts and family courts must be remitted 56 percent to the county and 44 percent to the State and to provide exceptions; by adding Section 14-1-206 so as to provide an assessment equal to 62 percent of a criminal fine imposed in general sessions and family court and to provide for the collection and distribution of the assessment; by adding Section 14-1-207 so as to provide an assessment equal to 88 percent of a criminal fine imposed in magistrates' court and to provide for the collection and distribution of the assessment; by adding Section 14-1-208 so as to provide an assessment equal to 68 percent of a criminal fine imposed in municipal court and to provide for the collection and distribution of the assessment; by adding Section 11-5-175 so as to require the State Treasurer to provide a quarterly report to each department or agency that receives money collected pursuant to Sections 14-1-205, 14-1-206, 14-1-207, and 14-1-208; and by adding Section 11-7-25 so as to require the State Auditor to examine the books and records of the clerks of court, magistrates, and municipal courts for compliance with Sections 14-1-205, 14-1-206, 14-1-207, and 14-1-208; to amend Section 8-21-310, as amended, relating to fees and costs generally, so as to delete the requirement of dividing the fifty-five dollar filing fees; to amend Section 14-17-725, relating to collection cost for fines paid on installments, so as to provide for collecting cost for assessments paid on installments; to amend Section 16-23-50, as amended, relating to penalties for certain weapons violations, so as to delete remittance of the fine to municipalities; to amend Section 22-3-545, relating to the transfer of certain criminal cases from general sessions, so as to provide for the distribution of money collected pursuant to Section 14-1-205; to amend Section 44-53-310, relating to civil fines for violation of registration of controlled substances, so as to provide that fines must be remitted to the State Treasurer for deposit and benefit of the Department of Mental Health for its drug addiction treatment facilities; to amend Section 44-53-370, as amended, relating to the possession of certain controlled substances, so as to revise the distribution of fines and forfeitures; to amend Section 48-1-350, relating to disposition of penalties collected for violation of the Pollution Control Act, so as to revise disposition of civil and criminal penalties; to amend Section 56-1-190, relating to having a driver's license in possession, so as to delete provisions allowing reduction of court costs; to amend Section 56-3-1971, as amended, relating to handicapped parking violations, so as to delete the five dollar assessment; to amend Section 56-5-1520, as amended, relating to fines for speeding, so as to delete the allocation of a portion of the fine to the General Fund; to amend Section 56-5-2940, as amended, relating to penalties for driving under the influence of intoxicating liquors or narcotic drugs, so as to delete remittance of a portion of the fine to the State Office of Victim Assistance; and to amend Section 56-5-2950, as amended, relating to implied consent to chemical tests of breath, blood, and urine, so as to delete the fifty dollar fee; to repeal Sections 14-1-210 relating to the establishment of cost of court fee to fund certain programs; 14-1-212 relating to the imposition of an additional fee in general sessions court; 14-1-213 relating to fees for certain defense of indigents; 16-11-700(E)(6) relating to assessments for litter violations; 20-7-1510 relating to the disposition of fines, forfeitures, and other revenues; 24-23-210 relating to fees assessed on persons convicted of criminal offenses for the purpose of defraying the costs of community corrections programs; 44-53-580 relating to the disposition of fines; 56-1-725 relating to traffic points assessment; 61-13-480 and 61-13-490 both relating to distribution of certain fines and assessments.

02/17/94 Senate Introduced and read first time SJ-4

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