

Session 122 - (2017-2018)

S*0415 (Rat #0034, Act #0087 of 2017) General Bill, By Malloy and Campsen

Similar (H 3511)

Summary: Probate Court

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-1-112 SO AS TO CLARIFY THE PROBATE COURT'S AUTHORITY TO IMPOSE PENALTIES FOR CONTEMPT AND TO GRANT A MOTION FOR A PARTY TO PROCEED IN FORMA PAUPERIS; TO AMEND SECTION 8-21-800, RELATING TO RELIEF FROM FILING FEES, COURT COSTS, AND PROBATE COSTS, SO AS TO CLARIFY THAT THE PROBATE JUDGE MAY WAIVE FILING FEES FOR INDIGENT PERSONS IN THE SAME MANNER AS OTHER CIVIL CASES; TO AMEND SECTION 62-1-302, AS AMENDED, RELATING TO SUBJECT MATTER JURISDICTION AND CONCURRENT JURISDICTION WITH FAMILY COURT, SO AS TO CLARIFY THE COURT'S JURISDICTION IN MATTERS INVOLVING THE ESTABLISHMENT, ADMINISTRATION, OR TERMINATION OF A SPECIAL NEEDS TRUST FOR DISABLED INDIVIDUALS AND TO REVISE OUTDATED TERMINOLOGY; TO AMEND SECTION 62-1-401, AS AMENDED, RELATING TO NOTICE, SO AS TO AUTHORIZE NOTICE TO BE MADE BY A QUALIFYING COMMERCIAL DELIVERY SERVICE AND IS SIMILAR TO NOTICE BY REGISTERED MAIL OR CERTIFIED MAIL; TO STRIKE PARTS 1, 2, 3, 4, AND 7, ARTICLE 5, TITLE 62, AND TO ADD NEW AND REVISED PROVISIONS RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY, SO AS TO PROMOTE UNIFORMITY AMONG THE STATE'S FORTY-SIX PROBATE COURTS, TO SAFEGUARD ADEQUATE DUE PROCESS PROTECTIONS FOR THE STATE'S ALLEGED INCAPACITATED INDIVIDUALS, TO ELIMINATE OVERRELIANCE UPON RESTRICTIVE FULL OR PLENARY GUARDIANSHIPS, TO REDUCE THE COSTS OF PROCEEDINGS, TO ESTABLISH CONSISTENCY BETWEEN GUARDIANSHIP AND CONSERVATORSHIP PROCEEDINGS, AND TO CREATE AN ADEQUATE SYSTEM FOR MONITORING GUARDIANS AND CONSERVATORS. -

ratified title

| | | |
|-----------------|---------------|--|
| 02/14/17 | Senate | Introduced and read first time (Senate Journal-page 11) |
| 02/14/17 | Senate | Referred to Committee on Judiciary (Senate Journal-page 11) |
| 02/16/17 | Senate | Referred to Subcommittee: Malloy (ch), Johnson, Turner, Climer, Goldfinch |
| 03/22/17 | Senate | Committee report: Favorable Judiciary (Senate Journal-page 10) |
| 04/05/17 | Senate | Read second time (Senate Journal-page 35) |
| 04/05/17 | Senate | Roll call Ayes-41 Nays-0 (Senate Journal-page 35) |
| 04/06/17 | Senate | Read third time and sent to House (Senate Journal-page 114) |
| 04/18/17 | House | Introduced and read first time (House Journal-page 7) |
| 04/18/17 | House | Referred to Committee on Judiciary (House Journal-page 7) |
| 04/25/17 | House | Recalled from Committee on Judiciary (House Journal-page 14) |
| 04/26/17 | House | Read second time (House Journal-page 67) |
| 04/26/17 | House | Roll call Yeas-100 Nays-0 (House Journal-page 68) |
| 04/27/17 | House | Read third time and enrolled (House Journal-page 12) |
| 05/04/17 | | Ratified R 34 |
| 05/09/17 | | Signed By Governor |
| 05/30/17 | | Effective date See Act |
| 05/31/17 | | Act No. 87 |