

Session 125 - (2023-2024)

H*4642 General Bill, By Mitchell, Gilliam, Pope, Sessions, Caskey and Hart

Summary: Military Code and Code of Military Justice revisions

A BILL 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.

12/14/23		Prefiled
12/14/23	House	Referred to Committee on Judiciary
01/09/24	House	Introduced and read first time (House Journal-page 107)
01/09/24	House	Referred to Committee on Judiciary (House Journal-page 107)
01/10/24		Scrivener's error corrected
01/25/24	House	Member(s) request name added as sponsor: Gilliam
02/06/24	House	Member(s) request name added as sponsor: Pope, Sessions
03/06/24	House	Committee report: Favorable with amendment Judiciary (House Journal-page 9)
03/19/24	House	Member(s) request name added as sponsor: Caskey
03/20/24	House	Member(s) request name added as sponsor: Hart
03/20/24	House	Amended (House Journal-page 51)
03/20/24	House	Read second time (House Journal-page 51)
03/20/24	House	Roll call Yeas-103 Nays-0 (House Journal-page 53)
03/21/24		Scrivener's error corrected
03/21/24	House	Read third time and sent to Senate (House Journal-page 32)
03/21/24	House	Roll call Yeas-96 Nays-0 (House Journal-page 33)
03/26/24	Senate	Introduced and read first time (Senate Journal-page 7)
03/26/24	Senate	Referred to Committee on Family and Veterans' Services (Senate Journal-page 7)
04/24/24	Senate	Committee report: Favorable Family and Veterans' Services (Senate Journal-page 9)
04/30/24	Senate	Read second time (Senate Journal-page 51)
04/30/24	Senate	Roll call Ayes-46 Nays-0 (Senate Journal-page 51)
05/01/24	Senate	Read third time and enrolled (Senate Journal-page 20)