

Session 114 - (2001-2002)

S 0077 General Bill, By Jackson, Ford and Elliott

Summary: Consent to Record Act; wire, oral, electronic communication; interception of; Crimes, Telephones, Telecommunications

A BILL TO AMEND TITLE 16 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMES AND OFFENSES, BY ADDING CHAPTER 10 SO AS TO ENACT THE "CONSENT TO RECORD ACT" TO MAKE IT UNLAWFUL FOR A PERSON TO: (1) WILLFULLY INTERCEPT, ENDEAVOR TO INTERCEPT, OR PROCURE ANY OTHER PERSON TO INTERCEPT OR ENDEAVOR TO INTERCEPT A WIRE, ORAL, OR ELECTRONIC COMMUNICATION WHERE THE PERSON IS A PARTY TO THE COMMUNICATION UNLESS ALL OF THE PARTIES TO THE COMMUNICATION HAVE GIVEN PRIOR CONSENT TO THE INTERCEPTION; (2) WILLFULLY DISCLOSE, OR ENDEAVOR TO DISCLOSE, TO ANY OTHER PERSON THE CONTENTS OF ANY WIRE, ORAL, OR ELECTRONIC COMMUNICATION, KNOWING OR HAVING REASON TO KNOW THAT THE INFORMATION WAS OBTAINED THROUGH THE INTERCEPTION OF A WIRE, ORAL, OR ELECTRONIC COMMUNICATION; AND (3) WILLFULLY USE, OR ENDEAVOR TO USE, THE CONTENTS OF ANY WIRE, ORAL, OR ELECTRONIC COMMUNICATION, KNOWING OR HAVING REASON TO KNOW THAT THE INFORMATION WAS OBTAINED THROUGH THE INTERCEPTION OF A WIRE, ORAL, OR ELECTRONIC COMMUNICATION; TO PROVIDE AN EXEMPTION FROM THESE PROHIBITIONS FOR AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER ACTING PURSUANT TO OTHER LAW AUTHORIZING SUCH CONDUCT; AND TO DEFINE RELATED TERMS.

01/10/01 Senate Introduced and read first time SJ-33

01/10/01 Senate Referred to Committee on Judiciary SJ-33