

Session 116 - (2005-2006)

S 0093 General Bill, By McConnell, Moore, Knotts, Fair and Richardson

Summary: Redefine and clarify penalties for stalking and harassment

A BILL TO AMEND ARTICLE 17, CHAPTER 3 OF TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STALKING AND HARASSMENT, SO AS TO REDEFINE STALKING AND HARASSMENT; TO CLARIFY PENALTIES FOR STALKING AND HARASSMENT; TO REQUIRE THAT WHEN A RESTRAINING ORDER IS ISSUED AS A CONDITION OF BOND FOR HARASSMENT OR STALKING, A COPY OF THE RESTRAINING ORDER MUST BE SENT BY THE COURT TO THE VICTIM; TO PROVIDE THAT A TEMPORARY RESTRAINING ORDER GRANTED WITHOUT NOTICE MUST BE ENTERED OF RECORD WITH THE MAGISTRATES COURT; TO PROVIDE THAT THE DURATION OF A TEMPORARY RESTRAINING ORDER IS EXTENDED FROM SIX MONTHS TO ONE YEAR; TO ALLOW SERVICE OF A RESTRAINING ORDER TO BE MADE BY MAIL RETURN RECEIPT TO THE DEFENDANT'S LAST KNOWN ADDRESS; TO REQUIRE THAT A MENTAL EVALUATION MUST BE MADE BEFORE BAIL IS SET ON A STALKING OR HARASSMENT CHARGE; AND TO REQUIRE THAT THE EVALUATION BE SCHEDULED WITHIN TEN DAYS OF THE ORDER'S ISSUANCE, THAT THE REPORT BE ISSUED WITHIN FORTY-EIGHT HOURS OF EVALUATION, AND THAT THE SOLICITOR ARRANGE FOR A BOND HEARING UPON RECEIPT OF THE REPORT BEFORE A CIRCUIT COURT JUDGE.

12/15/04 Senate Prefiled

12/15/04 Senate Referred to Committee on Judiciary

01/11/05 Senate Introduced and read first time SJ-128

01/11/05 Senate Referred to Committee on Judiciary SJ-128

02/01/05 Senate Referred to Subcommittee: Hutto (ch), Jackson, Knotts, Bryant