~~Indicates Matter Stricken~~

Indicates New Matter

RECALLED

April 26, 2012

**H. 4798**

Introduced by Reps. McLeod and Bowers

S. Printed 4/26/12--H.

Read the first time February 22, 2012.

**A** **BILL**

TO AMEND SECTION 5‑7‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO REVISE THE PERIOD OF TIME A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5‑7‑90 of the 1976 Code is amended to read:

“Section 5‑7‑90. The mayor or municipal judge or judges of ~~any~~ a municipality shall speedily try all persons charged with violations of the ordinances of the municipality or the laws of the State within their jurisdiction in a summary manner without a jury unless jury trial is demanded by the accused. Trial ~~shall~~ must be held ~~within seven~~ no sooner than ten days after ~~such~~ the arrest or at ~~such~~ a time as may be agreed upon, in which event the trial ~~shall be~~ is deferred. The mayor or municipal judge shall have the same power as a magistrate to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for the violation of ordinances of the municipality or the laws of this State subject to Section 5‑7‑30.”

SECTION 2. This act takes effect upon approval by the Governor.

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