

Session 116 - (2005-2006)

S*0022 (Rat #0076, Act #0075 of 2005) General Bill, By Knotts, McConnell, Leventis, Sheheen, Hayes, Alexander, Ford, McGill, Williams and Malloy

Similar (H 3189)

Summary: State grand jury jurisdiction revised to include environmental offenses

AN ACT TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LEGISLATIVE INTENT OF ARTICLE 15, CHAPTER 7, TITLE 14, SO AS TO PROVIDE THAT THERE IS A NEED TO ENHANCE THE GRAND JURY SYSTEM TO IMPROVE THE ABILITY OF THE STATE TO DETECT AND INVESTIGATE WILFUL CRIMES WHICH RESULT IN SUBSTANTIAL HARM TO THE ENVIRONMENT AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, BECAUSE OF ITS UNIQUE QUALIFICATIONS, MUST PLAY A SUBSTANTIAL ROLE IN THE INVESTIGATION OF ANY SUCH ALLEGED ENVIRONMENTAL OFFENSE, INCLUDING DETERMINING IF SUCH AN ENVIRONMENTAL OFFENSE HAS OCCURRED AND CERTIFYING THAT THE AMOUNT OF ANTICIPATED DAMAGES ARE TWO MILLION DOLLARS OR MORE; AND TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO THE JURISDICTION OF THE STATE GRAND JURY, SO AS TO EXTEND THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY TO INCLUDE WILFUL CRIMES WHICH RESULT IN SUBSTANTIAL HARM TO THE ENVIRONMENT, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST CERTIFY THAT THE AMOUNT OF ANTICIPATED DAMAGES ARE TWO MILLION DOLLARS OR MORE AND MUST MAKE A FORMAL WRITTEN RECOMMENDATION TO THE ATTORNEY GENERAL AND THE CHIEF OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION IN CONSIDERATION OF THE NEED TO IMPANEL A STATE GRAND JURY. - ratified title

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| 12/08/04 | Senate | Prefiled |
| 12/08/04 | Senate | Referred to Committee on Judiciary |
| 01/11/05 | Senate | Introduced and read first time SJ-91 |
| 01/11/05 | Senate | Referred to Committee on Judiciary SJ-91 |
| 02/04/05 | Senate | Referred to Subcommittee: Mescher (ch), Knotts, Sheheen |
| 03/02/05 | Senate | Committee report: Favorable with amendment Judiciary SJ-11 |
| 03/03/05 | | Scrivener's error corrected |
| 03/15/05 | Senate | Special order, set for 03/16/05 SJ-34 |
| 03/16/05 | Senate | Amended SJ-43 |
| 03/17/05 | | Scrivener's error corrected |
| 03/29/05 | Senate | Debate interrupted SJ-23 |
| 03/30/05 | Senate | Amended SJ-33 |
| 03/30/05 | Senate | Read second time SJ-33 |
| 03/31/05 | Senate | Read third time and sent to House SJ-34 |
| 04/05/05 | House | Introduced and read first time HJ-12 |
| 04/05/05 | House | Referred to Committee on Judiciary HJ-13 |
| 04/07/05 | House | Recalled from Committee on Judiciary HJ-20 |
| 04/13/05 | House | Amended HJ-39 |
| 04/13/05 | House | Read second time HJ-40 |
| 04/14/05 | House | Read third time and returned to Senate with amendments |
| 04/18/05 | Senate | House amendment amended SJ-74 |
| 04/18/05 | Senate | Returned to House with amendments SJ-74 |
| 04/19/05 | | Scrivener's error corrected |
| 04/26/05 | House | Non-concurrence in Senate amendment HJ-68 |
| 04/27/05 | Senate | Senate insists upon amendment and conference committee appointed Martin, Knotts and Malloy SJ-19 |
| 04/28/05 | House | Conference committee appointed Reps. GM Smith, Merrill, and Jennings HJ-42 |
| 05/12/05 | House | Conference report received and adopted HJ-69 |
| 05/12/05 | Senate | Conference report adopted SJ-27 |
| 05/17/05 | House | Ordered enrolled for ratification HJ-3 |
| 05/18/05 | | Ratified R 76 |
| 05/24/05 | | Signed By Governor |
| 06/01/05 | | Copies available |

06/01/05
06/07/05

Effective date 05/24/05
Act No. 75