

Session 115 - (2003-2004)

H 3052 (Rat #0154) General Bill, By Harrison, Simrill, Vaughn, Hinson, W.D. Smith, Kirsh, Sandifer, Umphlett, Talley, Merrill, Cobb-Hunter, Witherspoon, Ceips and Richardson

Summary: Litter gathering labor as sentence for littering mandatory, cannot be suspended, exceptions, monetary penalty

AN ACT TO AMEND SECTION 16-11-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LITTERING, SO AS TO PROVIDE THAT WHEN THE SENTENCE FOR A VIOLATION OF THIS SECTION INCLUDES LITTER-GATHERING, THE LITTER-GATHERING PORTION IS MANDATORY, HOWEVER THE COURT MAY DIRECT THE PERSON TO PAY AN ADDITIONAL MONETARY PENALTY IN LIEU OF THE SENTENCE, TO PROVIDE THE CIRCUMSTANCES WHEN PROBATION MAY BE GRANTED IN LIEU OF A LITTER-GATHERING SENTENCE, TO PROVIDE FOR THE DISTRIBUTION OF FUNDS COLLECTED IN LIEU OF A MANDATORY LITTER-GATHERING SENTENCE, AND TO PROVIDE WHEN A VIOLATION OF THIS SECTION CONSTITUTES A PRIOR VIOLATION WITHIN THE MEANING OF THIS SECTION; TO AMEND SECTION 56-25-20, RELATING TO THE SUSPENSION OF A DRIVER'S LICENSE FOR FAILURE TO COMPLY WITH CERTAIN TRAFFIC CITATIONS, SO AS TO REVISE THIS SECTION TO INCLUDE A SUMMONS FOR CERTAIN LITTER VIOLATIONS; BY ADDING SECTION 56-5-5635 SO AS TO PROVIDE THE PROCEDURE THAT A VEHICLE WHICH HAS BEEN TOWED UNDER THE DIRECTION OF A LAW ENFORCEMENT OFFICER MUST BE STORED AND DISPOSED OF; TO AMEND SECTION 16-11-760, RELATING TO PARKING A VEHICLE ON PRIVATE PROPERTY WITHOUT PERMISSION, THE REMOVAL OF CERTAIN VEHICLES, LIENS PLACED ON CERTAIN VEHICLES, AND THE SALE OF CERTAIN VEHICLES, SO AS TO PROVIDE THAT A COMMERCIAL PROPERTY OWNER MUST POST A NOTICE ON THE BORDERS OF HIS PROPERTY THAT PROHIBITS PARKING IF HE WANTS PARKING OF A VEHICLE TO BE ILLEGAL ON HIS PROPERTY, TO PROVIDE THAT CERTAIN COSTS ASSOCIATED WITH THE TOWING OF A VEHICLE ARE THE RESPONSIBILITY OF ITS REGISTER OWNER OR LIENHOLDER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE SALE OF CERTAIN VEHICLES THAT ARE NOT CLAIMED BY THEIR OWNERS, LIENHOLDERS, OR THEIR AGENTS; TO AMEND SECTION 29-15-10, RELATING TO REPAIR AND STORAGE LIENS, SO AS TO PROVIDE WHEN CERTAIN STORAGE COSTS MAY BE CHARGED AND RECOVERED; TO AMEND SECTION 56-5-5630, AS AMENDED, RELATING TO THE NOTICE CERTAIN LAW ENFORCEMENT AGENCIES MUST GIVE THE OWNER OF A VEHICLE WHICH THEY HAVE DIRECTED TO BE TOWED, AND TO PROVIDE THAT CERTAIN PENALTIES CONTAINED IN THIS SECTION DO NOT APPLY TO CERTAIN LIENHOLDERS, OR OWNERS, TO PROVIDE A DEFINITION FOR THE TERM "VEHICLE", TO PROVIDE THAT STORAGE COSTS FOR CERTAIN VEHICLES MUST NOT EXCEED SIXTY DAYS, TO DEFINE THE TERM "NOTIFICATION", TO REVISE THE CONTENT OF A NOTICE CONTAINED IN THIS SECTION, TO PROVIDE WHEN STORAGE COSTS ACCRUE AND MAY BE RECOVERED, TO REVISE THE CIRCUMSTANCES WHEN A LIENHOLDER OR OWNER OF A VEHICLE IS NOT SUBJECT TO A PENALTY UNDER THIS SECTION, AND TO PROVIDE THAT THE LAW ENFORCEMENT AGENCY THAT REQUESTED THAT A VEHICLE BE TOWED MUST PROVIDE THE TOWING COMPANY CERTAIN INFORMATION; TO AMEND SECTION 56-5-5640, AS AMENDED, RELATING TO THE SALE OF CERTAIN UNCLAIMED VEHICLES, SO AS TO REVISE THE PROCEDURE FOR SELLING ABANDONED VEHICLES; TO REPEAL SECTION 56-5-2522 RELATING TO THE TOWING, STORAGE, AND DISPOSAL OF CERTAIN VEHICLES; AND BY ADDING ARTICLE 4, CHAPTER 15, TITLE 56 SO AS TO PROVIDE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING PROCEDURES. - ratified title

12/04/02	House	Prefiled
12/04/02	House	Referred to Committee on Judiciary
01/14/03	House	Introduced and read first time HJ-28
01/14/03	House	Referred to Committee on Judiciary HJ-28
01/21/03	House	Member(s) request name added as sponsor: Ceips, Richardson
04/10/03	House	Committee report: Favorable with amendment Judiciary HJ-6
04/23/03	House	Amended HJ-48
04/23/03	House	Read second time HJ-49
04/24/03	House	Read third time and sent to Senate HJ-25
04/24/03	Senate	Introduced and read first time SJ-32
04/24/03	Senate	Referred to Committee on Judiciary SJ-32
05/28/03	Senate	Committee report: Favorable with amendment Judiciary SJ-19
05/29/03		Scrivener's error corrected
05/29/03	Senate	Amended SJ-69
05/29/03	Senate	Read second time SJ-69
05/29/03	Senate	Ordered to third reading with notice of amendments SJ-69

06/02/03 Scrivener's error corrected
06/05/03 Senate Amended SJ-311
06/05/03 Senate Read third time and returned to House with amendments SJ-311
06/05/03 House Concurred in Senate amendment and enrolled HJ-274
06/05/03 Ratified R 154
08/20/03 Vetoed by Governor
01/14/04 House Veto sustained Yeas-80 Nays-0 HJ-74