

## Session 114 - (2001-2002)

### **H 3056 General Bill, By Meacham-Richardson, A. Young, Simrill, Stille, White, Perry, Rodgers, Gilham and Lourie**

**Summary:** Criminal domestic violence, offender penalties and program, additional offenses; Crimes and Offenses, Domestic Relations

A BILL TO ENACT THE "DOMESTIC VIOLENCE PREVENTION ACT OF 2001" INCLUDING PROVISIONS TO AMEND SECTION 16-3-20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO ADD AS SEPARATE AGGRAVATING CIRCUMSTANCES WHICH MAY BE CONSIDERED IN THE DETERMINATION OF THE SENTENCE TO BE IMPOSED, A MURDER COMMITTED IN VIOLATION OF A PROTECTIVE ORDER OR A RESTRAINING ORDER, AND A MURDER COMMITTED AGAINST A HOUSEHOLD MEMBER WHEN THE DEFENDANT HAD A PRIOR CONVICTION FOR COMMITTING CERTAIN LISTED OFFENSES AGAINST THE HOUSEHOLD MEMBER VICTIM; TO AMEND SECTIONS 16-25-30, 16-25-40, 16-25-50, 16-25-60, 16-25-70, ALL AS AMENDED, AND SECTION 16-25-65, ALL RELATING TO PROCEDURES AND PENALTIES FOR CRIMINAL DOMESTIC VIOLENCE SO AS TO DELETE FINES AS A PENALTY FOR THESE OFFENSES AND TO AUTHORIZE SUSPENSION OF THE SENTENCE IMPOSED, EXCEPT MANDATORY MINIMUM SENTENCES WHERE APPLICABLE, UPON THE OFFENDER SATISFACTORILY COMPLETING AN APPROVED TREATMENT PROGRAM FOR BATTERERS, TO PROVIDE THAT THE SOLICITOR MAY NOT DROP A CRIMINAL DOMESTIC VIOLENCE CHARGE BEFORE TRIAL, TO CREATE THE OFFENSE OF CRIMINAL DOMESTIC VIOLENCE IN THE PRESENCE OF A MINOR AND TO PROVIDE PENALTIES; TO AMEND SECTION 17-22-50, AS AMENDED, RELATING TO PERSONS NOT TO BE CONSIDERED FOR A PRETRIAL INTERVENTION PROGRAM, SO AS TO PROVIDE THAT PERSONS CHARGED WITH CRIMINAL DOMESTIC VIOLENCE OFFENSES UNDER TITLE 16, CHAPTER 25 MAY NOT BE CONSIDERED FOR THIS PROGRAM; AND TO AMEND SECTION 22-5-510, AS AMENDED, RELATING TO BOND HEARINGS AND THE RELEASE OF DEFENDANTS, SO AS TO REQUIRE A MAGISTRATE TO HOLD A DEFENDANT IN A CASE INVOLVING CRIMINAL DOMESTIC VIOLENCE FORTY-EIGHT HOURS AFTER ARREST, UPON GOOD CAUSE SHOWN AT THE BOND HEARING.

<b>12/06/00</b>	<b>House</b>	<b>Prefiled</b>
<b>12/06/00</b>	<b>House</b>	<b>Referred to Committee on Judiciary</b>
<b>01/09/01</b>	<b>House</b>	<b>Introduced and read first time HJ-34</b>
<b>01/09/01</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-35</b>
<b>01/24/01</b>	<b>House</b>	<b>Member(s) request name removed as sponsor: Cobb-Hunter</b>
<b>02/26/02</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Gilham</b>
<b>04/24/02</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-85</b>
<b>04/25/02</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Lourie</b>
<b>04/30/02</b>	<b>House</b>	<b>Requests for debate-Rep(s). Altman and Lloyd HJ-47</b>
<b>04/30/02</b>	<b>House</b>	<b>Debate interrupted HJ-47</b>
<b>04/30/02</b>	<b>House</b>	<b>Amended HJ-50</b>
<b>04/30/02</b>	<b>House</b>	<b>Requests for debate-Rep(s). Loftis, Rivers and Kennedy HJ-59</b>
<b>05/01/02</b>	<b>House</b>	<b>Amended HJ-52</b>
<b>05/01/02</b>	<b>House</b>	<b>Read second time HJ-54</b>
<b>05/01/02</b>	<b>House</b>	<b>Roll call Yeas-99 Nays-0 HJ-54</b>
<b>05/02/02</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-25</b>
<b>05/02/02</b>	<b>Senate</b>	<b>Introduced and read first time SJ-19</b>
<b>05/02/02</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-19</b>
<b>05/22/02</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Judiciary SJ-18</b>