

Session 125 - (2023-2024)

H*4642 (Rat #0160, Act #0145 of 2024) General Bill, By Mitchell, Gilliam, Pope, Sessions, Caskey and Hart

Summary: Military Code and Code of Military Justice revisions

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT A CERTAIN DELEGATION MAY BE MADE; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE. - RATIFIED TITLE

12/14/23		Prefiled
12/14/23	House	Referred to Committee on Judiciary
01/09/24	House	Introduced and read first time (House Journal-page 107)
01/09/24	House	Referred to Committee on Judiciary (House Journal-page 107)
01/10/24		Scrivener's error corrected
01/25/24	House	Member(s) request name added as sponsor: Gilliam
02/06/24	House	Member(s) request name added as sponsor: Pope, Sessions
03/06/24	House	Committee report: Favorable with amendment Judiciary (House Journal-page 9)
03/19/24	House	Member(s) request name added as sponsor: Caskey
03/20/24	House	Member(s) request name added as sponsor: Hart
03/20/24	House	Amended (House Journal-page 51)
03/20/24	House	Read second time (House Journal-page 51)
03/20/24	House	Roll call Yeas-103 Nays-0 (House Journal-page 53)
03/21/24		Scrivener's error corrected
03/21/24	House	Read third time and sent to Senate (House Journal-page 32)
03/21/24	House	Roll call Yeas-96 Nays-0 (House Journal-page 33)
03/26/24	Senate	Introduced and read first time (Senate Journal-page 7)
03/26/24	Senate	Referred to Committee on Family and Veterans' Services (Senate Journal-page 7)
04/24/24	Senate	Committee report: Favorable Family and Veterans' Services (Senate Journal-page 9)
04/30/24	Senate	Read second time (Senate Journal-page 51)
04/30/24	Senate	Roll call Ayes-46 Nays-0 (Senate Journal-page 51)
05/01/24	Senate	Read third time and enrolled (Senate Journal-page 20)

05/08/24 **Ratified R 160**
05/13/24 **Signed By Governor**
05/20/24 **Effective date 05/13/24**
05/20/24 **Act No. 145**