

Session 114 - (2001-2002)

S*0469 (Rat #0105, Act #0097 of 2001) General Bill, By Martin, Fair and McConnell

Summary: Evidence in homicide prosecutions, "year-and-a-day rule" abrogated; Courts, Crimes, Watercraft, Motor Vehicle operation

A BILL TO AMEND CHAPTER 3, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-5 SO AS TO ABROGATE THE COMMON LAW "YEAR-AND-A-DAY RULE" IN THIS STATE AND PROVIDE THAT A PERSON CAUSING BODILY INJURY RESULTING IN DEATH IS NOT CRIMINALLY RESPONSIBLE AND MUST NOT BE PROSECUTED FOR HOMICIDE IF THREE YEARS INTERVENE BETWEEN THE INJURY AND THE DEATH OF THE VICTIM; TO AMEND SECTION 50-21-115, AS AMENDED, RELATING TO RECKLESS HOMICIDE BY OPERATION OF A BOAT, SO AS TO DELETE LANGUAGE REQUIRING DEATH TO HAVE OCCURRED WITHIN ONE YEAR AS A PROXIMATE RESULT OF AN INJURY AND PROVIDE THAT A PERSON CAUSING BODILY INJURY RESULTING IN DEATH BY OPERATION OF A BOAT IS NOT CRIMINALLY RESPONSIBLE AND MUST NOT BE PROSECUTED FOR RECKLESS HOMICIDE IF THREE YEARS INTERVENE BETWEEN THE INJURY AND THE DEATH OF THE VICTIM; TO AMEND SECTION 56-5-2910, RELATING TO RECKLESS HOMICIDE BY DRIVING A VEHICLE, SO AS TO DELETE LANGUAGE REQUIRING DEATH TO HAVE OCCURRED WITHIN ONE YEAR AS A PROXIMATE CAUSE RESULT OF AN INJURY AND PROVIDE THAT A PERSON CAUSING BODILY INJURY BY DRIVING A VEHICLE RESULTING IN DEATH IS NOT CRIMINALLY RESPONSIBLE AND MUST NOT BE PROSECUTED FOR RECKLESS HOMICIDE IF THREE YEARS INTERVENE BETWEEN THE INJURY AND THE DEATH OF THE VICTIM.-AMENDED TITLE

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| 03/20/01 | Senate | Introduced and read first time SJ-10 |
| 03/20/01 | Senate | Referred to Committee on Judiciary SJ-10 |
| 04/25/01 | Senate | Committee report: Favorable with amendment Judiciary SJ-24 |
| 04/26/01 | Senate | Amended SJ-84 |
| 04/26/01 | Senate | Read second time SJ-84 |
| 04/26/01 | Senate | Unanimous consent for third reading on next legislative day SJ-84 |
| 04/27/01 | Senate | Read third time and sent to House SJ-11 |
| 05/01/01 | House | Introduced and read first time HJ-25 |
| 05/01/01 | House | Referred to Committee on Judiciary HJ-25 |
| 05/23/01 | House | Committee report: Favorable Judiciary HJ-11 |
| 05/29/01 | House | Read second time HJ-21 |
| 05/30/01 | House | Read third time and enrolled HJ-16 |
| 06/05/01 | | Ratified R 105 |
| 08/31/01 | | Signed By Governor |
| 08/31/01 | | Effective date 08/31/01 |
| 09/17/01 | | Copies available |
| 09/17/01 | | Act No. 97 |