

Session 115 - (2003-2004)

H*4697 (Rat #0365, Act #0273 of 2004) General Bill, By Witherspoon, Rhoad, Hayes, Bailey, Battle, Coates, Davenport, Edge, Keegan, Leach, Limehouse, Loftis, McCraw and Stewart

Summary: Trees or forest products, criminal penalties for not making full payment to land owners when trees purchased and forest products sold

AN ACT TO AMEND SECTION 16-11-580, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL CUTTING, REMOVING, OR TRANSPORTING OF TIMBER WITHOUT PERMISSION, SO AS TO FURTHER PROVIDE FOR THE UNLAWFUL CUTTING, REMOVING, ACQUIRING, OR TRANSPORTING OF FOREST PRODUCTS WITHOUT PERMISSION AND TO REVISE THE PENALTIES FOR VIOLATIONS BASED IN PART ON THE VALUE OF THE FOREST PRODUCTS INVOLVED; AND BY ADDING SECTION 48-23-265 SO AS TO PROVIDE THAT A PERSON WHO PURCHASES FOREST PRODUCTS DIRECTLY FROM A LANDOWNER POSSESSING LANDS IN THIS STATE OR A PERSON WHO HAS RECEIVED PAYMENT FROM A SALE OF FOREST PRODUCTS TO A THIRD PARTY MUST MAKE FULL PAYMENT TO THE LANDOWNER IN THE MANNER PROVIDED IN THIS SECTION, TO PROVIDE EXCEPTIONS AND PROCEDURAL REQUIREMENTS, TO PROVIDE THAT FAILURE TO REMIT PAYMENT AS REQUIRED SUBJECTS THE VIOLATOR TO CRIMINAL PENALTIES FOR VIOLATIONS, TO PROVIDE THAT WHERE THE VALUE OF THE FOREST PRODUCTS EXCEEDS FIVE THOUSAND DOLLARS, EQUIPMENT AND VEHICLES USED TO ACQUIRE OR CUT THE FOREST PRODUCTS ARE SUBJECT TO CONFISCATION AND FORFEITURE, AND TO PROVIDE THAT THE COURT SHALL ORDER RESTITUTION AS A MANDATORY CONDITION OF THE SENTENCE IMPOSED. - ratified title

02/04/04	House	Introduced and read first time HJ-32
02/04/04	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-33
02/24/04	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-2
02/25/04	House	Amended HJ-63
02/25/04	House	Read second time HJ-64
02/25/04		Scrivener's error corrected
02/26/04	House	Read third time and sent to Senate HJ-22
02/26/04	Senate	Introduced and read first time SJ-15
02/26/04	Senate	Referred to Committee on Judiciary SJ-15
05/12/04	Senate	Committee report: Favorable with amendment Judiciary SJ-20
05/13/04	Senate	Amended SJ-23
05/13/04	Senate	Read second time SJ-23
05/18/04	Senate	Read third time and returned to House with amendments SJ-20
05/25/04	House	Concurred in Senate amendment and enrolled HJ-43
06/02/04		Ratified R 365
07/16/04		Signed By Governor
07/26/04		Copies available
07/26/04		Effective date See Act for Effective Date
07/28/04		Act No. 273