

## Session 112 - (1997-1998)

### S 0862 General Bill, By Holland

A BILL TO AMEND SECTION 16-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIME CLASSIFICATION, SO AS TO PROVIDE THAT ALL OFFENSES CLASSIFIED AS EXEMPT WITH MAXIMUM PENALTIES OF IMPRISONMENT OF FIVE YEARS OR MORE ARE FELONIES; TO AMEND SECTION 16-3-26, RELATING TO THE DEATH PENALTY, SO AS TO REQUIRE NOTICE OF A SOLICITOR'S INTENTION TO SEEK THE DEATH PENALTY TO BE IN WRITING; TO AMEND SECTION 16-3-660, RELATING TO DEPOSITION TESTIMONY, SO AS TO ALLOW A JUDGE TO ORDER VIDEO DEPOSITION OF A RAPE VICTIM WHEN THE PERSON IS A WITNESS IN THE TRIAL; TO AMEND SECTION 16-3-1240, RELATING TO THE VICTIM'S COMPENSATION PROGRAM, SO AS TO AUTHORIZE THE DISCLOSURE OF INFORMATION REGARDING A PARTICULAR APPLICANT FOR VICTIM COMPENSATION BY COURT ORDER UPON A SHOWING OF GOOD CAUSE; TO AMEND SECTION 16-11-310, RELATING TO OFFENSES AGAINST PROPERTY, SO AS TO NARROW THE DEFINITION OF "BUILDING"; TO AMEND SECTION 16-11-617, RELATING TO THE OFFENSE OF ENTERING ANOTHER'S PROPERTY FOR THE PURPOSE OF CULTIVATING MARIJUANA, SO AS TO REQUIRE THAT THE OFFENSE BE COMMITTED WILFULLY; TO AMEND SECTION 16-11-650, RELATING TO THE OFFENSE OF REMOVING A FENCE, SO AS TO REQUIRE THAT THE OFFENSE BE COMMITTED INTENTIONALLY; TO AMEND SECTION 16-13-60, RELATING TO THE OFFENSE OF STEALING DOGS, SO AS TO REQUIRE THAT THE OFFENSE BE COMMITTED WITH THE INTENT TO PERMANENTLY DEPRIVE THE OWNER THEREOF; TO AMEND SECTION 16-25-70, AS AMENDED, RELATING TO THE CRIME OF DOMESTIC VIOLENCE, SO AS TO DELETE THE TERM "FAMILY VIOLENCE"; TO AMEND SECTION 17-4-20, RELATING TO THE COMMISSION OF APPELLATE DEFENSE, SO AS TO REPLACE THE MEMBERSHIP SEAT ALLOCATED TO THE SOUTH CAROLINA TRIAL LAWYERS ASSOCIATION WITH ONE ALLOCATED TO THE SOUTH CAROLINA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS; TO AMEND SECTION 17-13-141, RELATING TO RECORDS KEPT BY JUDICIAL OFFICERS, SO AS TO REQUIRE THE OFFICE OF COURT ADMINISTRATION TO PRESCRIBE FORMS; TO AMEND SECTION 17-13-160, RELATING TO FORMS OF ARREST AND SEARCH WARRANTS, SO AS TO REQUIRE THE OFFICE OF COURT ADMINISTRATION TO PRESCRIBE FORMS; TO AMEND SECTION 17-15-40, RELATING TO BAIL AND RECOGNIZANCE FORMS, SO AS TO REQUIRE THE OFFICE OF COURT ADMINISTRATION TO PRESCRIBE THE FORMS; TO AMEND SECTION 17-19-80, RELATING TO INDICTMENTS, SO AS TO REQUIRE THAT A PERSON INDICTED OF A CAPITAL OFFENSE BE GIVEN A COPY OF THE INDICTMENT THIRTY DAYS BEFORE TRIAL; TO AMEND SECTION 17-21-80, RELATING TO CHANGE OF VENUE, SO AS TO AUTHORIZE A JUDGE TO CHANGE THE VENUE IN A CRIMINAL CASE TO ANOTHER COUNTY; TO AMEND SECTION 23-3-480, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO PROVIDE THAT A SEX OFFENDER MAY NOT BE PENALIZED FOR FAILING TO REGISTER IF HE WAS CONVICTED OF A SPECIFIC OFFENSE PRIOR TO JULY 1, 1994; TO AMEND SECTION 56-1-1380, RELATING TO A PROVISIONAL DRIVER'S LICENSE, SO AS TO PROVIDE THAT A RESIDENT OF THIS STATE WHO IS CONVICTED OF A TRAFFIC OFFENSE IN ANOTHER STATE MAY APPLY FOR A PROVISIONAL LICENSE IF HIS DRIVER'S LICENSE IS SUSPENDED AS A RESULT OF THE CONVICTION; AND TO REPEAL SECTIONS 16-3-410, 16-3-420, 16-3-430, 16-3-440, 16-3-450, 16-3-460, 16-3-720, 16-11-720, 17-13-70, 17-13-100, AND 17-13-110.

**12/15/97 Senate Prefiled**

**12/15/97 Senate Referred to Committee on Judiciary**

**01/14/98 Senate Introduced and read first time SJ-14**

**01/14/98 Senate Referred to Committee on Judiciary SJ-14**

**02/04/98 Senate Committee report: Favorable with amendment Judiciary SJ-17**

**02/05/98 Senate Amended SJ-20**

**02/05/98 Senate Read second time SJ-20**

**02/05/98 Senate Ordered to third reading with notice of amendments SJ-20**

**02/10/98 Senate Read third time and sent to House SJ-11**

**02/11/98 House Introduced and read first time HJ-9**

**02/11/98 House Referred to Committee on Judiciary HJ-10**

**05/27/98 House Committee report: Favorable with amendment Judiciary HJ-68**

**05/28/98 House Debate adjourned until Tuesday, June 2, 1998 HJ-22**

**06/02/98 House Debate interrupted HJ-30**

**06/02/98 House Requests for debate-Rep(s). Scott, Moody-Lawrence, Gourdine, Lloyd, Cobb-Hunter, Harrison, Jennings, Young, McGee, Robinson, Barrett, J. Hines & Hawkins HJ-45**

**06/02/98 House Amended HJ-135**

06/02/98	House	Read second time HJ-182
06/02/98	House	Roll call Yeas-88 Nays-10 HJ-182
06/03/98	House	Read third time and returned to Senate with amendments HJ-26