

Session 107 - (1987-1988)

S*0102 (Rat #0181, Act #0128 of 1987) General Bill, By J.V. Smith, I.E. Lourie, P.B. McLeod, E.J. Patterson, Setzler, N.W. Smith and N.A. Theodore

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 44-53-375 so as to provide that the possession of less than one gram of crack cocaine is a misdemeanor and provide penalties upon conviction, to provide that a second and subsequent conviction of this offense is a felony, to provide that the manufacture, distribution, dispensation, or the possession with intent to distribute or dispense crack cocaine is a felony and provide penalties upon conviction, to provide that the possession of one or more grams of crack cocaine is prima facie evidence of a violation of this felony, to provide that sentences for violation of the provisions of Section 44-53-375 may not be suspended and probation may not be granted except for a first offense; to amend Section 44-53-110, relating to definitions of narcotics and controlled substances, so as to define "crack cocaine"; to amend Section 44-53-440, relating to the felony of distributing a controlled substance classified in Section 44-53-190(b)(c) (Schedule 1) which is a narcotic drug or lysergic acid diethylamide (LSD) and in Section 44-53-210(Schedule II) which is a narcotic drug to a person under the age of eighteen, so as to make it a separate offense for violations of this Section and include in it a violation of Section 44-53-375(B); to amend Section 44-53-445, relating to the crime of distributing, selling, or manufacturing, or unlawfully possessing with intent to distribute a controlled substance while within a radius of one-half mile of the grounds of an elementary, middle, or secondary school, so as to provide a separate penalty upon conviction when a violation of this Section involves crack cocaine; to add the felonies established by the provisions of Section 44-53-375 to the list of felonies in Section 16-1-10 with the exception of the conviction of the first offense possession of less than one gram of crack cocaine; and to repeal Section 44-53-510 relating to the requirement that all arrests for drug and narcotic violations be reported to the South Carolina Law Enforcement Division and the Commission on Alcohol and Drug Abuse.

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| 10/13/86 | Senate | Prefiled |
| 10/13/86 | Senate | Referred to Committee on Judiciary |
| 01/13/87 | Senate | Introduced and read first time SJ-73 |
| 01/13/87 | Senate | Referred to Committee on Judiciary SJ-74 |
| 02/18/87 | Senate | Committee report: Favorable Judiciary SJ-568 |
| 02/19/87 | Senate | Read second time SJ-582 |
| 02/24/87 | Senate | Read third time and sent to House SJ-633 |
| 02/25/87 | House | Introduced and read first time HJ-713 |
| 02/25/87 | House | Referred to Committee on Judiciary HJ-714 |
| 05/07/87 | House | Committee report: Favorable with amendment Judiciary HJ-2547 |
| 05/19/87 | House | Amended HJ-2903 |
| 05/19/87 | House | Read second time HJ-2903 |
| 05/20/87 | House | Read third time HJ-2986 |
| 05/20/87 | House | Returned HJ-2986 |
| 05/21/87 | Senate | Concurred in House amendment and enrolled SJ-2051 |
| 06/02/87 | | Ratified R 181 |
| 06/08/87 | | Signed By Governor |
| 06/08/87 | | Effective date 06/08/87 |
| 06/08/87 | | Act No. 128 |
| 06/16/87 | | Copies available |