

## Session 113 - (1999-2000)

**S 0284 General Bill, By Holland, Fair, McConnell and Giese**

**Similar (H 3180)**

**Summary:** Sexually violent predators, notification of release; Crimes and Offenses, Sex, Mental Health, Minors, Juveniles

A BILL TO AMEND SECTION 44-48-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SEXUALLY VIOLENT PREDATORS, SO AS TO PROVIDE THAT THE AGENCY WITH JURISDICTION SHALL GIVE WRITTEN NOTICE TO THE MULTIDISCIPLINARY TEAM AND THE ATTORNEY GENERAL'S OFFICE AT LEAST ONE HUNDRED AND EIGHTY DAYS PRIOR TO THE PERSON'S ANTICIPATED RELEASE DATE; TO FURTHER PROVIDE THAT FOR A PERSON UNDER THE JURISDICTION OF THE DEPARTMENT OF JUVENILE JUSTICE WHO IS INDEFINITELY TRANSFERRED TO THE DEPARTMENT OF MENTAL HEALTH FOR THE TREATMENT OF A SERIOUS EMOTIONAL DISTURBANCE, NOTICE SHALL BE PROVIDED AT LEAST ONE HUNDRED EIGHTY DAYS BEFORE THE JUVENILE'S ANTICIPATED RELEASE DATE; TO FURTHER PROVIDE THAT THE PROVISIONS OF THE ACT ARE NOT JURISDICTIONAL AND FAILURE TO COMPLY WITH THE PROVISIONS DOES NOT PROHIBIT THE ATTORNEY GENERAL FROM PROCEEDING AGAINST A PERSON WHO MAY BE SUBJECT TO THE ACT; TO AMEND SECTION 44-48-50 SO AS TO PROVIDE THAT CERTAIN RECORDS MUST BE GIVEN TO THE MULTIDISCIPLINARY TEAM WHEN THE AGENCY WITH JURISDICTION GIVES NOTICE; TO AMEND SECTION 44-48-70 SO AS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA OR A PERSON ACTING ON BEHALF OF THE STATE DOES NOT HAVE TO PAY FILING FEES FOR PROCEEDINGS BROUGHT UNDER THIS ACT; TO AMEND SECTION 44-48-80 SO AS TO PROVIDE THAT THE STATE MAY USE HEARSAY EVIDENCE IN THE PROBABLE CAUSE HEARING; TO AMEND SECTION 44-48-90 SO AS TO PROVIDE THAT THE VOLUNTARY EXCHANGE OF INFORMATION BETWEEN PARTIES IS ENCOURAGED BUT FORMAL DEPOSITIONS AND DISCOVERY MAY BE CONDUCTED; TO ADD SECTION 44-48-180 SO AS TO PROVIDE THAT A SEXUALLY VIOLENT PREDATOR WHO IS SUBSEQUENTLY CONVICTED OF A CRIMINAL OFFENSE AND SENTENCED TO INCARCERATION SHALL, UPON SERVING SUCH SENTENCE, BE RETURNED TO THE APPROPRIATE FACILITY FOR THE TREATMENT OF SEXUALLY VIOLENT PREDATORS.

12/16/98	Senate	Prefiled
12/16/98	Senate	Referred to Committee on Medical Affairs
01/12/99	Senate	Introduced and read first time SJ-107
01/12/99	Senate	Referred to Committee on Medical Affairs SJ-107
01/14/99	Senate	Recalled from Committee on Medical Affairs SJ-3
01/14/99	Senate	Committed to Committee on Judiciary SJ-3
04/21/99	Senate	Committee report: Favorable with amendment Judiciary SJ-10
04/27/99	Senate	Amended SJ-45
04/27/99	Senate	Read second time SJ-45
04/27/99	Senate	Ordered to third reading with notice of amendments SJ-45
04/28/99	Senate	Amended SJ-33
04/28/99	Senate	Read third time and sent to House SJ-33
05/04/99	House	Introduced and read first time HJ-7
05/04/99	House	Referred to Committee on Judiciary HJ-8