

## 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

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