

Session 114 - (2001-2002)

S 0481 General Bill, By Holland and McConnell

**Summary:** Harass, stalk, unlawful by electronic communication, restraining order, Courts, Crimes and Offenses, Computers, Internet

A BILL TO AMEND SECTION 16-3-1700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF 'HARASSMENT', SO AS TO INCLUDE WRITTEN OR ELECTRONIC COMMUNICATION; TO AMEND SECTION 16-3-1710, RELATING TO PENALTIES UPON CONVICTION FOR HARASSMENT WITHIN SEVEN YEARS OF A PRIOR CONVICTION OF HARASSMENT OR STALKING, SO AS TO CLARIFY THE LANGUAGE OF THE SECTION; TO AMEND SECTION 16-3-1720, AS AMENDED, RELATING TO PENALTIES UPON CONVICTION FOR STALKING, SO AS TO INCREASE THE LENGTH OF MANDATORY IMPRISONMENT; TO AMEND SECTION 16-3-1730, RELATING TO PENALTIES UPON CONVICTION OF AGGRAVATED STALKING, SO AS TO INCREASE THE MAXIMUM PENALTY; TO AMEND SECTION 16-3-1750, RELATING TO AN ACTION SEEKING A RESTRAINING ORDER AGAINST A PERSON ENGAGED IN HARASSMENT OR STALKING, SO AS TO REQUIRE THAT, WHEN A RESTRAINING ORDER IS ISSUED AS A CONDITION OF BOND, A COPY OF THE RESTRAINING ORDER MUST BE SENT BY THE COURT TO THE VICTIM; TO AMEND SECTION 16-3-1770, RELATING TO FORM AND CONTENT OF TEMPORARY RESTRAINING ORDERS, SO AS TO PROVIDE THAT A TEMPORARY RESTRAINING ORDER GRANTED WITHOUT NOTICE MUST BE ENTERED OF RECORD WITH THE MAGISTRATES COURT; TO AMEND SECTION 16-3-1790, AS AMENDED, RELATING TO SERVICE OF CERTIFIED COPIES OF RESTRAINING ORDERS, SO AS TO ALLOW SERVICE TO BE MADE BY MAIL RETURN RECEIPT TO DEFENDANT'S LAST KNOWN ADDRESS; AND TO AMEND SECTION 16-3-1840, RELATING TO A MENTAL HEALTH EVALUATION AS A CONDITION OF BAIL, SO AS TO REQUIRE THAT THE EVALUATION BE MADE BEFORE BAIL IS SET; AND FURTHER TO REQUIRE THAT THE EVALUATION BE SCHEDULED WITHIN TEN DAYS OF THE ORDER'S ISSUANCE, THAT THE REPORT BE ISSUED WITHIN FORTY-EIGHT HOURS OF EVALUATION, AND THAT THE SOLICITOR ARRANGE FOR A BOND HEARING UPON RECEIPT OF THE REPORT BEFORE A CIRCUIT COURT JUDGE.

03/22/01	Senate	Introduced and read first time SJ-8
03/22/01	Senate	Referred to Committee on Judiciary SJ-8
04/04/01	Senate	Committee report: Favorable with amendment Judiciary SJ-12
04/05/01	Senate	Amended SJ-11
04/05/01	Senate	Read second time SJ-11
04/05/01	Senate	Ordered to third reading with notice of amendments SJ-11
04/10/01	Senate	Amended SJ-19
04/11/01	Senate	Read third time and sent to House SJ-7
04/17/01	House	Introduced and read first time HJ-17
04/17/01	House	Referred to Committee on Judiciary HJ-18