

Session 119 - (2011-2012)

H 4975 General Bill, By Tallon, Allison, Patrick, D.C. Moss, Pope and G.R. Smith

Summary: DNA testing

A BILL TO AMEND SECTION 17-28-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES FOR WHICH POST-CONVICTION DNA TESTING IS AVAILABLE, SO AS TO LIMIT THE OFFENSES FOR WHICH A PERSON MAY APPLY FOR FORENSIC DNA TESTING TO PROVE HIS INNOCENCE; TO AMEND SECTION 17-28-50, RELATING TO APPLICATIONS FOR DNA TESTING AND NOTIFICATION, SO AS TO REQUIRE NOTIFICATION OF THE APPLICATION FOR DNA TESTING TO BE MADE BY THE APPLICANT TO CERTAIN LAW ENFORCEMENT AGENCIES; TO AMEND SECTION 17-28-90, RELATING TO AN APPLICANT FOR DNA TESTING'S HEARING AND ORDERS RELATED TO DNA SAMPLES, SO AS TO LIMIT COSTS PAID FOR BY THE STATE TO APPLICANTS FOR DNA TESTING WHO ARE FOUND BY A COURT TO BE INDIGENT; TO AMEND SECTION 17-28-120, RELATING TO FUNDING OF POST-CONVICTION DNA TESTING, SO AS TO REDUCE THE AMOUNT THAT MAY BE EXPENDED FROM THE GENERAL FUND FROM ONE-HUNDRED-FIFTY-THOUSAND DOLLARS TO FIFTY THOUSAND DOLLARS; TO AMEND SECTION 17-28-320, RELATING TO OFFENSES FOR WHICH DNA EVIDENCE IS PRESERVED, SO AS TO LIMIT THE OFFENSES FOR WHICH DNA EVIDENCE MUST BE PRESERVED AND PROVIDE EVIDENCE NEED NOT BE PRESERVED AFTER APPEALS ARE EXHAUSTED; AND TO AMEND SECTION 17-28-350, RELATING TO WILFUL DESTRUCTION OR TAMPERING WITH DNA EVIDENCE, SO AS TO ADD THE INTENTIONAL DESTRUCTION OR TAMPERING WITH DNA EVIDENCE TO THE PURVIEW OF THE STATUTE.

03/08/12 House Introduced and read first time (House Journal-page 19)

03/08/12 House Referred to Committee on Judiciary (House Journal-page 19)