

## Session 113 - (1999-2000)

### **S\*0598 (Rat #0068, Act #0055 of 1999) General Bill, By Senate Judiciary**

#### ***Similar (S 0453)***

**Summary:** Appellate Court Rules, Courts, Regulations, Administrative procedures, Judges

A BILL TO AMEND SECTIONS 1-3-250, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPEALS OF OFFICERS REMOVED BY THE GOVERNOR; 1-23-390, RELATING TO JUDICIAL REVIEW OF CERTAIN ADMINISTRATIVE PROCEDURES ACT APPEALS; 4-27-320, RELATING TO APPEALS OF CIRCUIT COURT DECISIONS INVOLVING COUNTY BOARD OF ADJUSTMENT CASES; 4-27-630, RELATING TO APPEALS OF CERTAIN COUNTY PLANNING CASES; 6-7-790, RELATING TO APPEALS OF ZONING DECISIONS; 6-29-850, RELATING TO APPEALS OF BOARD OF ZONING APPEALS DECISIONS; 6-29-940, RELATING TO APPEALS OF BOARD OF ARCHITECTURAL REVIEW DECISIONS; 14-11-85, RELATING TO APPEALS FROM FINAL JUDGMENTS ENTERED BY A MASTER-IN-EQUITY; 17-27-100, RELATING TO JUDICIAL REVIEWS OF POST-CONVICTION RELIEF DECISIONS; 20-7-2220, RELATING TO APPEALS OF FAMILY COURT DECISIONS PERTAINING TO THE COMMITMENT OR CUSTODY OF CHILDREN; 34-29-180, RELATING TO JUDICIAL REVIEW OF CONSUMER FINANCE LAW DECISIONS; 37-6-108, AS AMENDED, RELATING TO REVIEW OF ADMINISTRATIVE ENFORCEMENT ORDERS OF THE ADMINISTRATOR OF THE DEPARTMENT OF CONSUMER AFFAIRS; 37-6-415, RELATING TO JUDICIAL REVIEW OF CONTESTED CASES UNDER THE CONSUMER PROTECTION CODE; 39-37-100, RELATING TO JUDICIAL REVIEW OF CERTAIN DEPARTMENT OF AGRICULTURE DECISIONS; 41-31-630 AND 41-35-750, RELATING TO APPEAL OF CERTAIN EMPLOYMENT SECURITY COMMISSION DECISIONS; 42-17-40, AS AMENDED, RELATING TO APPEAL OF CERTAIN WORKERS' COMPENSATION COMMISSION AWARDS; 44-17-620, RELATING TO APPEALS OF PROBATE COURT ORDERS REGARDING THE COMMITMENT OF MENTALLY ILL PERSONS; 49-19-1080, RELATING TO APPEAL OF DRAINAGE AND WATER RECLAMATION DECISIONS; 57-5-1120, RELATING TO JUDICIAL REVIEW OF DEPARTMENT OF TRANSPORTATION DECISIONS PERTAINING TO PRIVATE DRIVEWAYS AND SIDE-ROAD ENTRANCES; 58-5-360, RELATING TO APPEALS OF PUBLIC SERVICE COMMISSION DECISIONS PERTAINING TO GAS, HEAT, WATER, AND SEWAGE COMPANIES; 58-9-1470, RELATING TO APPEALS OF ORDERS OF THE PUBLIC SERVICE COMMISSION PERTAINING TO TELEPHONE AND TELEGRAPH COMPANIES; 59-25-260, RELATING TO APPEALS OF STATE BOARD OF EDUCATION ORDERS PERTAINING TO TEACHERS; 59-25-480, RELATING TO APPEALS OF SCHOOL DISTRICT BOARD OF TRUSTEES' DECISIONS PERTAINING TO TEACHERS; AND 59-25-830, RELATING TO DECISIONS OF STATE BOARD OF EDUCATION PERTAINING TO DISCRIMINATION AGAINST TEACHERS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE APPEALS OR REVIEWS MUST BE TAKEN INCLUDING AS PROVIDED BY THE SOUTH CAROLINA APPELLATE COURT RULES; TO AMEND SECTIONS 1-7-140, RELATING TO ANNUAL REPORTS TO THE GENERAL ASSEMBLY BY THE ATTORNEY GENERAL; 2-13-60, RELATING TO DUTIES OF THE CODE COMMISSIONER; 2-13-80, RELATING TO ANNUAL CUMULATIVE SUPPLEMENTS TO THE SOUTH CAROLINA CODE OF LAWS; 14-1-40, RELATING TO THE DEFINITION OF A CLERK FOR CERTAIN COURT PURPOSES; 14-8-210, RELATING TO REVIEW BY THE SUPREME COURT OF COURT OF APPEALS' DECISIONS; 15-1-60, RELATING TO THE DEFINITION OF A CLERK FOR PURPOSES OF CIVIL REMEDIES AND PROCEDURES; 15-1-260, RELATING TO PAYMENTS OF DEPOSITS IN LIEU OF BONDS; 15-17-550, RELATING TO ARREST AND BAIL APPEAL PROCEEDINGS; 17-4-70, RELATING TO DUTIES OF THE OFFICE OF APPELLATE DEFENSE; 17-15-200, RELATING TO PERSONS TO WHOM A DEPOSIT IN LIEU OF BOND OR RECOGNIZANCE MUST BE PAID; 18-1-20, RELATING TO CERTAIN DEFINITIONS IN REGARD TO CIVIL AND CRIMINAL APPEALS; 18-9-10, AS AMENDED, 18-9-30, 18-9-40, AND 18-9-270, ALL RELATING TO APPEALS TO THE SUPREME COURT; 27-40-800, RELATING TO LANDLORD AND TENANT APPEALS; 38-59-40, AS AMENDED, RELATING TO LIABILITY FOR ATTORNEYS' FEES WHERE AN INSURER HAS REFUSED TO PAY A CLAIM AND APPEALS THEREFROM; 38-63-90, RELATING TO AUTHORIZATION OF ATTORNEYS' FEES WHERE A LIFE INSURER REFUSES TO PAY A CLAIM AND APPEALS THEREFROM; 39-3-190, RELATING TO ENFORCEMENT OF TRUST AND MONOPOLY PROVISIONS BY THE ATTORNEY GENERAL; 42-1-650, RELATING TO LIMITATIONS ON CERTAIN WORKERS' COMPENSATION ACTIONS; 50-5-130, AS AMENDED, RELATING TO PROSECUTION OF FISH, GAME, AND WATERCRAFT VIOLATORS; 59-25-270, RELATING TO REVOCATION OR SUSPENSION OF TEACHERS' CERTIFICATES AND APPEALS THEREFROM; 62-1-308, AS AMENDED, RELATING TO APPEALS FROM THE PROBATE COURT UNDER THE SOUTH CAROLINA PROBATE CODE, SO AS TO INCLUDE REFERENCES THEREIN TO THE COURT OF APPEALS OR TO CLARIFY REFERENCES THEREIN TO THE COURT OF APPEALS OR OTHER COURTS; TO AMEND SECTIONS 1-7-40, RELATING TO APPEARANCES FOR THE STATE IN THE SUPREME COURT BY THE ATTORNEY GENERAL, SO AS TO CLARIFY A REFERENCE THEREIN TO THE SUPREME COURT; 14-1-70, RELATING TO THE LISTING OF THE COURTS OF JUSTICE

IN THIS STATE, SO AS TO INCLUDE THE COURT OF APPEALS THEREIN AND DELETE VARIOUS OBSOLETE REFERENCES; 14-8-200, RELATING TO JURISDICTION OF THE COURT OF APPEALS, SO AS TO FURTHER PROVIDE FOR THIS JURISDICTION; 14-8-260, RELATING TO DETERMINATION OF CASES ASSIGNED TO THE COURT OF APPEALS, SO AS TO PROVIDE THAT THE SUPREME COURT SHALL SPECIFY BY RULE WHETHER OR NOT THE NOTICE OF APPEAL SHALL BE FILED INITIALLY WITH THE SUPREME COURT OR COURT OF APPEALS AND TO ESTABLISH PROCEDURES FOR THE FILING OF THESE NOTICES OF APPEAL; 15-51-42, RELATING TO APPROVAL OF SETTLEMENTS OF WRONGFUL DEATH OR SURVIVAL ACTIONS, SO AS TO SPECIFY THE PARTICULAR COURTS TO WHICH CERTAIN PETITIONS SHALL BE ADDRESSED; 18-9-150, RELATING TO DEPOSITS OR SURETY WHEN A JUDGMENT REQUIRES DELIVERY OF DOCUMENTS; 18-9-160, RELATING TO STAYING A JUDGMENT TO EXECUTE A CONVEYANCE; 18-9-220, RELATING TO WHEN NOTICE OF APPEAL STAYS LOWER COURT PROCEEDINGS, SO AS TO SPECIFY WHICH APPELLATE COURT IS ENTITLED TO ISSUE CERTAIN ORDERS OR ISSUE BINDING JUDGMENTS IN REGARD THERETO; TO REPEAL SECTIONS 14-8-540, RELATING TO PROCEDURES FOR APPEALS TO THE COURT OF APPEALS; 15-37-150, RELATING TO COSTS ON APPEAL TO THE SUPREME COURT; AND 17-4-90, RELATING TO WHEN TIME TO APPEAL COMMENCES IN CERTAIN CASES INVOLVING INDIGENT PERSONS.

03/11/99	Senate	Introduced, read first time, placed on calendar without reference SJ-8
03/16/99	Senate	Read second time SJ-22
03/17/99	Senate	Read third time and sent to House SJ-11
03/18/99	House	Introduced and read first time HJ-6
03/18/99	House	Referred to Committee on Judiciary HJ-9
05/12/99	House	Committee report: Favorable Judiciary HJ-3
05/18/99	House	Read second time HJ-22
05/19/99	House	Read third time and enrolled HJ-23
05/26/99		Ratified R 68
06/01/99		Signed By Governor
06/01/99		Effective date 06/01/99
07/07/99		Copies available
07/07/99		Act No. 55