**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4439**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and Clyburn

Document Path: l:\council\bills\swb\5041cm12.docx

Introduced in the House on January 10, 2012

Currently residing in the House Committee on **Judiciary**

Summary: Property seized by law enforcement agencies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/29/2011 House Prefiled

11/29/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 38](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 38](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[11/29/2011](file:///p:\pprever\2011-12\4439_20111129.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑13‑180 SO AS TO PROVIDE THAT ANY PROPERTY SEIZED BY A LAW ENFORCEMENT AGENCY PURSUANT TO OR WITHOUT A WARRANT MUST BE RETURNED TO ITS LAWFUL OWNER WITHIN THIRTY DAYS OF ITS SEIZURE UNLESS A COURT DETERMINES THAT PROBABLE CAUSE EXISTS TO ALLOW THE LAW ENFORCEMENT AGENCY TO MAINTAIN POSSESSION OF THE PROPERTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 13, Title 17 of the 1976 Code is amended by adding:

“Section 17‑13‑180. Any property seized by a law enforcement agency pursuant to or without a warrant must be returned to its lawful owner within thirty days of its seizure unless a court determines that probable cause exists to allow the law enforcement agency to maintain possession of the property.”

SECTION 2. This act takes effect upon approval by the Governor.

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