**South Carolina General Assembly**

119th Session, 2011-2012

**H. 5073**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Allen

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Introduced in the House on March 22, 2012

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

Summary: Criminal Domestic Registry

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/22/2012 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj%20archive\2012\03-22-12.docx))

3/22/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\hj%20archive\2012\03-22-12.docx))

**VERSIONS OF THIS BILL**

[3/22/2012](file:///p:\pprever\2011-12\5073_20120322.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 1 SO AS TO AUTHORIZE THE ATTORNEY GENERAL TO CREATE AND ADMINISTER A STATE CRIMINAL DOMESTIC VIOLENCE REGISTRY IN ORDER TO MAINTAIN A LIST OF PERSONS CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AND CRIMINAL DOMESTIC VIOLENCE THIRD OR SUBSEQUENT OFFENSE, TO PROVIDE PROCEDURES THAT MUST BE FOLLOWED IN THE MAINTENANCE OF THE REGISTRY, AND TO PROVIDE FOR CONFIDENTIALITY OF THE IDENTITY OF VICTIMS OF DOMESTIC VIOLENCE.

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

SECTION 1. Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Article 8

Criminal Domestic Violence Registry

Section 1‑7‑1100. (A) In order to provide a statewide registry of offenders who have committed a criminal domestic violence offense pursuant to Article 1, Chapter 25, Title 16, the Attorney General is directed to create and administer the State Criminal Domestic Violence Registry. The Office of the Attorney General shall collect data transmitted to it from the courts for persons convicted of a criminal domestic violence offense and enter the data into the State Criminal Domestic Violence Registry. Except as provided in subsection (D), the registry must be maintained by the Office of the Attorney General as a searchable database online.

(B) Upon conviction of a person for a criminal domestic violence of a high and aggravated nature or criminal domestic violence third or subsequent offense, the clerk of court shall submit a copy of the conviction as expeditiously as possible to the Office of the Attorney General for inclusion of the person on the registry.

(C) The Office of the Attorney General is directed to implement policies and procedures for submissions to the registry and shall implement a timely process for the entry of newly issued convictions for criminal domestic violence offenses and removal of records and names of the offenders in cases in which a conviction is overturned on appeal, an error in the submission occurred, or other appropriate circumstances defined by the Attorney General.

(D) Information regarding the victim of a criminal domestic violence offense which is maintained in the registry which tends to reveal the identity or location of a victim does not constitute a public record and is not subject to disclosure pursuant to the provisions of Chapter 4, Title 30, the Freedom of Information Act; however, this information may be disclosed as necessary to the appropriate law enforcement agency for enforcement purposes of an order of protection from domestic violence or other law enforcement purpose.”

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

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