**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3159**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. W.J. McLeod, G.R. Smith and Thayer

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Introduced in the House on January 8, 2013

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

Summary: Testimony given to a General Assembly Committee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2012 House Prefiled

12/18/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 109](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 109](file:///h:\HJ%20Archive\2013\01-08-13.docx))

4/24/2013 House Member(s) request name added as sponsor: Thayer

**VERSIONS OF THIS BILL**

[12/18/2012](file:///p:\pprever\2013-14\3159_20121218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE THAT TESTIMONY GIVEN TO A COMMITTEE OR SUBCOMMITTEE OF THE GENERAL ASSEMBLY MAY BE UNDER OATH, TO CREATE THE OFFENSE OF CONTEMPT OF THE GENERAL ASSEMBLY AND PROVIDE A PENALTY FOR A VIOLATION, TO PROVIDE THAT A PERSON SO TESTIFYING MUST BE GIVEN THE BENEFIT OF ANY PRIVILEGE WHICH THE PERSON MAY HAVE CLAIMED IN COURT AS A PARTY IN A CIVIL OR CRIMINAL ACTION, AND TO PROVIDE THE CIRCUMSTANCES WHEN TESTIMONY MAY BE REFERRED FOR INVESTIGATION AND POSSIBLE PROSECUTION.

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

SECTION 1. Title 2 of the 1976 Code is amended by adding:

“CHAPTER 2

Testimony Before the General Assembly

Section 2‑2‑10. Testimony given to a committee or subcommittee of either house of the General Assembly may be under oath.

Section 2‑2‑20. A person who appears before a committee or subcommittee of either house of the General Assembly and willfully gives false, materially misleading, or materially incomplete testimony under oath is guilty of contempt of the General Assembly. A person who violates the provisions of this section must be punished as follows: (a) for a first offense, is guilty of a misdemeanor and must be fined not less than one hundred dollars or imprisoned not more than six months, or both; (b) for a second or subsequent offense, is guilty of a felony and must be fined in the discretion of the court or imprisoned not more than five years, or both.

Section 2‑2‑30. A person who appears before a committee or subcommittee of either house of the General Assembly must be given the benefit of any privilege which he may have claimed in court as a party to a civil or criminal action.

Section 2‑2‑40. When the majority of the committee or subcommittee believes that a person willfully gave false, materially misleading, or materially incomplete testimony to the committee or subcommittee under oath, the chair of the committee or subcommittee may refer the matter to the South Carolina Law Enforcement Division for an investigation. The South Carolina Law Enforcement Division may then refer the matter to the South Carolina Attorney General’s office for proper disposition or may cause charges to be filed.”

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

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