

From: Mike Curlee - All Out Bail Bonding [mike@alloutbailbonding.com]
Sent: Thursday, January 16, 2014 12:28 PM
To: Kim Reid
Subject: H 3342

Good Afternoon Everyone,

Attached is a copy of H 3342.

Please read and contact your House member to support this bill that would give us notification of pending Bench Warrants.

As you can see, the bill passed the house 116-0 and Senate 41-0. The Governor vetoed it. On Wednesday, the House will vote whether to over ride the veto.

PLEASE CONTACT YOUR LEGISLATORS TO SUPPORT THIS BILL

Please forward to your agents and contacts.

Regards,
Mike Curlee
President South Carolina Bail Agents Association
Member PBUS

South Carolina General Assembly
120th Session, 2013-2014

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Indicates New Matter

R94, H3342

STATUS INFORMATION

General Bill

Sponsors: Reps. Hart and King

Document Path: l:\council\bill\ms\7081ahb13.docx

Introduced in the House on January 16, 2013

Introduced in the Senate on March 7, 2013

Last Amended on June 5, 2013

Passed by the General Assembly on June 6, 2013

Governor's Action: June 17, 2013, Vetoed

Legislative veto action(s): Pending

Summary: Bench warrants for failure to appear

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
1/16/2013	House	Introduced and read first time (House Journal-page 12)
1/16/2013	House	Referred to Committee on Judiciary (House Journal-page 12)
2/27/2013	House	Committee report: Favorable with amendment Judiciary (House Journal-page 81)
3/6/2013	House	Member(s) request name added as sponsor: King
3/6/2013	House	Amended (House Journal-page 54)
3/6/2013	House	Read second time (House Journal-page 54)
3/6/2013	House	Roll call Yeas-116 Nays-0 (House Journal-page 55)
3/7/2013	House	Read third time and sent to Senate (House Journal-page 22)
3/7/2013	Senate	Introduced and read first time (Senate Journal-page 11)
3/7/2013	Senate	Referred to Committee on Judiciary (Senate Journal-page 11)
4/12/2013	Senate	Referred to Subcommittee: Hutto (ch), Corbin, Young
5/29/2013	Senate	Committee report: Favorable with amendment Judiciary
6/4/2013	Senate	Committee Amendment Adopted (Senate Journal-page 134)
6/5/2013	Senate	Amended (Senate Journal-page 39)
6/5/2013	Senate	Read second time (Senate Journal-page 39)
6/5/2013	Senate	Roll call Ayes-43 Nays-0 (Senate Journal-page 39)
6/6/2013	Senate	Read third time and returned to House with amendments (Senate Journal-page 175)
6/6/2013	House	Concurred in Senate amendment and enrolled (House Journal-page 79)
6/6/2013	House	Roll call Yeas-81 Nays-0 (House Journal-page 79)
6/11/2013		Ratified R 94
6/17/2013		Vetoed by Governor
6/26/2013	House	Debate adjourned on veto consideration
1/15/2014	House	Debate adjourned on veto consideration until Wed., 1-22-14

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VERSIONS OF THIS BILL

[1/16/2013](#)

[2/27/2013](#)

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[6/5/2013](#)

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

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(R94, H3342)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION [17-15-175](#) SO AS TO PROVIDE THAT AFTER AN INITIAL APPEARANCE, A CIRCUIT COURT JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UPON MOTION BY A SOLICITOR UNLESS THE SOLICITOR HAS POSTED CERTAIN NOTICE BEFORE THE BENCH WARRANT IS ISSUED AND TO PROVIDE AN EXCEPTION.

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

Bench warrants for failure to appear, requirements

SECTION 1. Chapter 15, Title 17 of the 1976 Code is amended by adding:

"Section [17-15-175](#). After an initial appearance, a circuit court judge may not issue a general sessions court bench warrant for failure to appear in court upon motion by a solicitor, unless the solicitor has conspicuously posted a list of potential bench warrants at the appropriate courthouse and on the solicitor's Internet website at least forty-eight hours before the bench warrant is requested. This section does not apply if the presiding judge sua sponte issues the bench warrant for failure to appear or the person has been personally served with an appearance date."

Savings clause

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as

remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Time effective

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 11th day of June, 2013.

President of the Senate

Speaker of the House of Representatives

Approved the _____ day of _____ 2013.

Governor

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This web page was last updated on January 15, 2014 at 5:12 PM