**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4071**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Johnson, Tallon, Hixon, Pope, Hardee, Hyde, Bailey, Hewitt and R. Williams

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Introduced in the House on February 26, 2019

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

Summary: Prosecution Coordination Commission

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/26/2019 House Introduced and read first time ([House Journal‑page 33](file:///h:\hj\20190226.docx))

2/26/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 33](file:///h:\hj\20190226.docx))

2/28/2019 House Member(s) request name added as sponsor: Pope, Hardee, Hyde, Bailey, Hewitt

4/2/2019 House Member(s) request name added as sponsor: R.Williams

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4071&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/26/2019](file:///p:\pprever\2019-20\4071_20190226.docx)

**A** **BILL**

TO AMEND SECTION 1‑7‑940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO REMOVE THE DUTY TO PROVIDE BLANK INDICTMENTS FOR THE CIRCUIT SOLICITORS; AND TO AMEND SECTION 17‑28‑320, RELATING TO THE PRESERVATION OF EVIDENCE, SO AS TO PROVIDE THE AMOUNT OF TIME THE PRIMARY AND BACKUP COURT RECORDING TAPES OF A PROCEEDING MUST BE PRESERVED.

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

SECTION 1. Section 1‑7‑940(A)(4) is amended to read:

“~~(4) provide blank indictments for the circuit solicitors.~~”

SECTION 2. Section 17‑28‑320 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( ) The primary and backup court recording tapes of a proceeding must be preserved until the person is released from incarceration, dies while incarcerated, or is executed for the offense enumerated in subsection (A), whichever comes first. However, if the person is convicted or adjudicated on a guilty or nolo contendere plea for the offense enumerated in subsection (A), the primary and backup court recording tapes and electronic versions of any prepared transcriptsof a proceeding must be preserved for seven years from the date of sentencing, or until the person is released from incarceration, dies while incarcerated, or is executed for the offense enumerated in subsection (A), whichever comes first. At least thirty days before the destruction of a court recording tape or electronically prepared transcript from any criminal proceeding, the court shall notify the parties to the proceeding of the planned destruction and the right to request a copy of the recording or electronic transcript before destruction.”

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

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