

AGENDA
House Judiciary Committee
March 29, 2022

Updated

The House Judiciary Committee will meet on **Tuesday, March 29, 2022, one hour upon adjournment of the House in Room 516** of the Blatt Building, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

CRIMINAL LAWS SUBCOMMITTEE

Pending Subcommittee Report

H. 5064 - Rep. J.E. Johnson: TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF THE SEX OFFENDER REGISTRY AND OFFENSES THAT REQUIRE PERSONS TO BE PLACED ON THE REGISTRY, SO AS TO CREATE THREE TIERS OF OFFENSES WITHIN THE REGISTRY; BY ADDING SECTION 23-3-436 SO AS TO PROVIDE CHILDREN FOURTEEN YEARS OF AGE OR OLDER WHO HAVE BEEN ADJUDICATED DELINQUENT FOR COMMITTING CERTAIN OFFENSES MUST REGISTER AS SEX OFFENDERS; TO AMEND SECTION 23-3-460, RELATING TO LIFETIME BIENNIAL REGISTRATION FOR SEX OFFENDERS, SO AS TO PROVIDE EXCEPTIONS TO THIS REQUIREMENT AND TO PROVIDE OFFENDERS MUST REGISTER IN EACH COUNTY WITHIN THREE BUSINESS DAYS OF BEGINNING EMPLOYMENT AT ANY SCHOOL; BY ADDING SECTION 23-3-462 SO AS TO PROVIDE THE PROCEDURE FOR CERTAIN PERSONS TO HAVE THEIR NAMES REMOVED FROM THE SEX OFFENDER REGISTRY BY THE STATE LAW ENFORCEMENT DIVISION; BY ADDING SECTION 23-3-463 SO AS TO PROVIDE THE PROCEDURE FOR CERTAIN PERSONS TO HAVE THEIR NAMES REMOVED FROM THE SEX OFFENDER REGISTRY BY THE GENERAL SESSIONS COURT; AND TO AMEND SECTION 23-3-490, RELATING TO THE PUBLIC'S ACCESS TO INFORMATION CONTAINED IN THE SEX OFFENDER REGISTRY, SO AS TO PROVIDE THIS INFORMATION MAY BE MADE AVAILABLE BY ELECTRONIC MEANS, TO DELETE THE PROVISIONS THAT REQUIRE SHERIFFS PROVIDE A LISTING OF THE REGISTRY TO A LOCAL NEWSPAPER AND PERSONS PROVIDE SLED THE NAMES AND ADDRESSES OF INDIVIDUALS WHOSE REGISTRY INFORMATION IS BEING SOUGHT, AND TO REVISE THE OFFENSES COMMITTED BY PERSONS ADJUDICATED DELINQUENT THAT REQUIRE CERTAIN INFORMATION ABOUT THE PERSONS TO BE RELEASED TO CERTAIN MEMBERS OF THE PUBLIC.

Favorable

H. 3010 -- Reps. Weeks, Robinson, Thigpen and Henegan: A BILL TO AMEND SECTION 24-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER UNDER A COURT-IMPOSED SENTENCE, SO AS TO PROVIDE A PRISONER MAY BE GIVEN FULL CREDIT AGAINST

A SENTENCE FOR TIME SPENT UNDER GLOBAL POSITIONING SYSTEM (GPS) MONITORING.

FAMILY AND PROBATE LAW SUBCOMMITTEE

Pending Subcommittee Report

H. 5113 - Rep. W. Cox: TO AMEND SECTION 62-5-101, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 5, TITLE 62, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; TO AMEND SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; TO AMEND SECTION 62-5-106, RELATING TO THE DUTIES OF GUARDIANS AD LITEM, SO AS TO PROVIDE THAT THE GUARDIAN AD LITEM MUST SUBMIT HIS REPORT TO THE COURT AT LEAST SEVENTY-TWO HOURS PRIOR TO THE HEARING; TO AMEND SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; TO AMEND SECTION 62-5-401, RELATING TO THE VENUE FOR CERTAIN PROCEEDINGS, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; TO AMEND SECTION 62-5-403A, RELATING TO THE SERVICE OF SUMMONS AND PETITION, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; TO AMEND SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIAN AD LITEM, SO AS TO ALLOW THE COURT ALSO TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; TO AMEND SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; TO AMEND SECTION 62-5-422, RELATING TO THE POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; TO AMEND SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; TO AMEND SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO APPOINTMENT, SO AS TO REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; TO

AMEND SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; TO AMEND SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIPS FROM ANOTHER JURISDICTION; AND TO AMEND SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

Favorable

H. 5000 - Reps. Matthews, Caskey and Wooten: TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

SPECIAL LAWS SUBCOMMITTEE

Favorable

H. 4568 - Reps. Oremus, McCravy, Allison, Bailey, Bennett, Bryant, Burns, Chumley, B. Cox, Dabney, Erickson, Gagnon, Gilliam, Haddon, Hayes, Hiott, Hixon, Huggins, Hyde, J.E. Johnson, Jordan, Long, Lucas, Magnuson, Martin, May, McCabe, McGarry, T. Moore, Morgan, D.C. Moss, V.S. Moss, Nutt, G.R. Smith, M.M. Smith, Stringer, Thayer, Trantham, West, Willis, Wooten, Forrest, Taylor and Caskey: TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-90 SO AS TO REQUIRE THE DISCLOSURE OF MEDICAL INFORMATION TO PERSONS WHO MAY RECEIVE A CHEMICALLY INDUCED ABORTION, WITH EXCEPTIONS.