

AGENDA
House Judiciary Committee
February 28, 2023

The House Judiciary Committee will meet on **Tuesday, February 28, 2023, at 2:30 pm or 30 minutes after adjournment of the House, whichever is later, 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.*

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable

H. 3014 Rep. Gilliard TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CLEMENTA C. PINCKNEY HATE CRIMES ACT"; BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

GENERAL LAWS SUBCOMMITTEE

Favorable with Amendment

H. 3448 Rep. Bauer To AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [1-1-499](#) SO AS TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PROHIBIT THE ELECTRONIC DEVICES IT MANAGES FROM ACCESS AND USE OF WEBSITES AND APPLICATIONS THAT THREATEN CYBERSECURITY AND INFRASTRUCTURE FROM FOREIGN AND DOMESTIC THREATS, SUCH AS TIKTOK.

Favorable

H. 3925 Rep. Bannister To AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [1-7-920](#), RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Favorable with Amendment

H. 3866 Rep. Rutherford TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [1-7-95](#) SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT

UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION [39-5-55](#) SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

Favorable

H. 3204 Rep. Erickson TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [40-55-420](#), RELATING TO PSYPACT DISPUTE RESOLUTION, SO AS TO PROVIDE FOR THE UNITED STATES DISTRICT COURT OF GEORGIA TO RESOLVE DISPUTES.

CRIMINAL LAWS SUBCOMMITTEE

Favorable

H. 3019 Rep. King TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [17-1-43](#) SO AS TO PROVIDE FOR THE DESTRUCTION OF ARREST RECORDS OF PERSONS ARRESTED AS A RESULT OF MISTAKEN IDENTITY NOT LATER THAN ONE HUNDRED EIGHTY DAYS AFTER AN INVESTIGATION BY A LAW ENFORCEMENT OR PROSECUTION AGENCY REVEALS THAT THE PERSON WAS ARRESTED AS A RESULT OF MISTAKEN IDENTITY AND TO PROVIDE THAT THE LAW ENFORCEMENT OR PROSECUTION AGENCY MAY NOT CHARGE OR COLLECT A FEE FOR THE DESTRUCTION OF ARREST RECORDS UNDER THESE CIRCUMSTANCES; AND BY ADDING SECTION [17-1-70](#) SO AS TO ALLOW PERSONS CHARGED WITH SPECIFIC OFFENSES TO PETITION TO HAVE THEIR CHARGES DISMISSED IF THEY HAVE NOT BEEN ADJUDICATED OR OTHERWISE DISMISSED AFTER A PERIOD OF TIME AND OTHER DELINEATED CONDITIONS ARE MET, AND TO PROVIDE PROCEDURES FOR THE DESTRUCTION OF THE RECORDS.

Favorable

H. 3890 Rep. Rose TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [22-5-920](#), RELATING TO YOUTHFUL OFFENDER ELIGIBILITY FOR EXPUNGMENT OF CERTAIN OFFENSES, SO AS TO ALLOW EXPUNGMENT FOR CONVICTIONS INVOLVING A DRIVING UNDER SUSPENSION OFFENSE.

Favorable with Amendment

H. 3682 Rep. Murphy TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION [47-1-140](#), RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION [47-1-145](#), RELATING TO CUSTODY AND

CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION [47-1-170](#), RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.