~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT ADOPTED

May 31, 2012

**H. 4798**

Introduced by Reps. McLeod and Bowers

S. Printed 5/31/12--S.

Read the first time May 2, 2012.

**A** **BILL**

TO AMEND SECTION 5‑7‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO REVISE THE PERIOD OF TIME A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

Amend Title To Conform

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

SECTION 1. Section 5‑7‑90 of the 1976 Code is amended to read:

“Section 5‑7‑90. The ~~mayor or~~ municipal judge or judges of ~~any~~ a municipality shall speedily try all persons ~~charged~~ arrested and incarcerated with violations of the ordinances of the municipality or the laws of the State within their jurisdiction in a summary manner without a jury unless jury trial is demanded by the accused. Trial ~~shall~~ must be held within ~~seven~~ ten days after ~~such~~ the arrest or at ~~such~~ a time ~~as may be agreed upon~~ scheduled by the court, in which event the trial ~~shall be~~ is deferred. The ~~mayor or~~ municipal judge shall have the same power as a magistrate to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for the violation of ordinances of the municipality or the laws of this State subject to Section 5‑7‑30.”

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

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