**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3870**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Weeks

Document Path: l:\council\bills\bh\7115ahb17.docx

Introduced in the House on March 1, 2017

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

Summary: County Grand Jury foreman

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/1/2017 House Introduced and read first time ([House Journal‑page 4](file:///h:\hj\20170301.docx))

3/1/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 4](file:///h:\hj\20170301.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3870&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/1/2017](file:///p:\pprever\2017-18\3870_20170301.docx)

**A** **BILL**

TO AMEND SECTION 14‑7‑1550, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF A COUNTY GRAND JURY FOREMAN TO SWEAR WITNESSES AND OBTAIN ATTENDANCE OF WITNESSES, SO AS TO PROHIBIT THE USE OF THIRD PARTY SUMMARY, HEARSAY EVIDENCE AS THE SOLE EVIDENCE PRESENTED TO THE COUNTY GRAND JURY FOR INDICTMENT, TO REQUIRE THE PRESENTMENT TO THE COUNTY GRAND JURY OF MATERIAL EVIDENCE, AND TO REQUIRE THE COUNTY GRAND JURY FOREMAN TO NOTE ALL EVIDENCE CONSIDERED BY THE COUNTY GRAND JURY IN THE RECORD.

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

SECTION 1. Section 14‑7‑1550 of the 1976 Code is amended to read:

“Section 14‑7‑1550. (A) The foreman of the grand jury or acting foreman in the circuit courts of any county of the State may swear the witnesses whose names shall appear on the bill of indictment in the grand jury room. No witnesses shall be sworn except those who have been listed on the bill of indictment, bound over or subpoenaed in the manner provided by law. In order to obtain attendance of any witness, the grand jury may proceed as provided by the South Carolina Rules of Civil Procedure and Sections 19‑9‑10 through 19‑9‑130.

(B) No indictment may be true billed if the only evidence presented by the State is summary, hearsay evidence presented by a law enforcement officer or other officer of the State who has not been personally involved in the investigation of the alleged offense.

(C) When the State has material documentary, physical, or electronic evidence that has been relied upon in the decision to seek the indictment, that evidence must be presented to the grand jury during the presentment.

(D) The grand jury foreman, or acting foreman, shall require any witness testifying before the grand jury to note their name for the record prior to swearing the witness and shall note, or require the witness to note, for the record any documentary, physical, or electronic evidence presented to the grand jury.”

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

‑‑‑‑XX‑‑‑‑