

South Carolina General Assembly
120th Session, 2013-2014

H. 3316

STATUS INFORMATION

General Bill

Sponsors: Rep. Hart

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Introduced in the House on January 15, 2013

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

Summary: Bond forfeitures

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
1/15/2013	House	Introduced and read first time (House Journal-page 10)
1/15/2013	House	Referred to Committee on Judiciary (House Journal-page 10)

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VERSIONS OF THIS BILL

[1/15/2013](#)

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9 **A BILL**

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11 TO AMEND SECTION 17-15-170, CODE OF LAWS OF
12 SOUTH CAROLINA, 1976, RELATING TO FORFEITURE OF
13 BOND AND RECOGNIZANCE PROCEEDINGS, SO AS TO
14 PROVIDE THAT THE STATE IS ENTITLED TO ESTREAT
15 THE BOND OR RECOGNIZANCE ONE HUNDRED EIGHTY
16 DAYS AFTER THE PERSON'S FAILURE TO APPEAR IN
17 COURT AS REQUIRED BY LAW.

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

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22 SECTION 1. Section 17-15-170 of the 1976 Code is amended
23 to read:

24
25 "Section 17-15-170. (A) ~~Whenever the~~ When a bond or
26 recognizance is forfeited by noncompliance with its a condition of
27 release, the Attorney General, solicitor, magistrate, or other person
28 acting for him immediately shall issue a notice to summon every
29 party bound in the forfeited bond or recognizance to appear at the
30 next ensuing court to show cause, if he has ~~any~~ cause, why
31 judgment should not be confirmed against him. If ~~any~~ a person so
32 bound fails to appear or, upon appearing, does not give a reason
33 for not performing the condition of the bond or recognizance as the
34 court considers sufficient, then the judgment on the bond or
35 recognizance is confirmed. A magistrate may confirm judgments
36 of not more than the maximum fine allowable under Section
37 22-3-550 in addition to assessments.

38 (B) Notwithstanding the provisions of subsection (A), when a
39 condition of bond or recognizance is violated by the person's
40 failure to appear in court as required by law, the State has the right
41 to full estreatment of the bond or recognizance one hundred eighty
42 days after the person failed to appear in court as required by law."

1
2 SECTION 2. The repeal or amendment by this act of any law,
3 whether temporary or permanent or civil or criminal, does not
4 affect pending actions, rights, duties, or liabilities founded thereon,
5 or alter, discharge, release or extinguish any penalty, forfeiture, or
6 liability incurred under the repealed or amended law, unless the
7 repealed or amended provision shall so expressly provide. After
8 the effective date of this act, all laws repealed or amended by this
9 act must be taken and treated as remaining in full force and effect
10 for the purpose of sustaining any pending or vested right, civil
11 action, special proceeding, criminal prosecution, or appeal existing
12 as of the effective date of this act, and for the enforcement of
13 rights, duties, penalties, forfeitures, and liabilities as they stood
14 under the repealed or amended laws.
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16 SECTION 3. This act takes effect upon approval by the Governor.
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