

## Session 118 - (2009-2010)

**H 3166 General Bill, By G.M. Smith, Delleney, G.R. Smith, Clemmons, Parker, Bingham, Gullick, T.R. Young and Toole  
Similar (S 0206, H 3853)**

**Summary:** Middle Court Processes Act

A BILL TO AMEND SECTION 24-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERM "NO PAROLE OFFENSE", SO AS TO REVISE THE DEFINITION TO INCLUDE CLASS D, E, AND F FELONIES, CLASS A, B, AND C MISDEMEANORS, AND OFFENSES CLASSIFIED AS EXEMPT WHICH ARE PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF ONE YEAR OR MORE, TO PROVIDE THAT A PERSON WHO IS FOUND GUILTY OF, OR PLEADS GUILTY OR NOLO CONTENDRE TO, A "NO PAROLE OFFENSE" IS NOT ELIGIBLE FOR EARLY RELEASE FROM INCARCERATION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE AN EXCEPTION RELATED TO THE YOUTHFUL OFFENDER ACT; AND BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "MIDDLE COURT PROCESSES ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A MIDDLE COURT PROCESS IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A MIDDLE COURT JUDGE, TO PROVIDE REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A MIDDLE COURT PROCESS, AND TO REQUIRE FUNDING OF THE MIDDLE COURT PROCESS BY THE GENERAL ASSEMBLY TO THE JUDICIAL DEPARTMENT, THE ATTORNEY GENERAL'S OFFICE, AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

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|-----------------|--------------|-----------------------------------------------------------|
| <b>12/16/08</b> | <b>House</b> | <b>Prefiled</b>                                           |
| <b>12/16/08</b> | <b>House</b> | <b>Referred to Committee on Judiciary</b>                 |
| <b>01/13/09</b> | <b>House</b> | <b>Introduced and read first time HJ-74</b>               |
| <b>01/13/09</b> | <b>House</b> | <b>Referred to Committee on Judiciary HJ-75</b>           |
| <b>02/03/09</b> | <b>House</b> | <b>Member(s) request name added as sponsor: Gullick</b>   |
| <b>02/04/09</b> | <b>House</b> | <b>Member(s) request name added as sponsor: T.R.Young</b> |
| <b>02/05/09</b> | <b>House</b> | <b>Member(s) request name added as sponsor: Toole</b>     |