

## Session 120 - (2013-2014)

**S\*0440 (Rat #0209, Act #0186 of 2014) General Bill, By Fair, Hutto and Jackson**

**Similar (S 0509, S 0520, H 3855)**

**Summary:** Use of restraints on juvenile defendants

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-19-1435 SO AS TO PROVIDE THAT THE USE OF RESTRAINTS ON JUVENILES APPEARING IN COURT ARE PROHIBITED UNLESS THE RESTRAINTS ARE NECESSARY TO PREVENT THE JUVENILE FROM HARMING HIMSELF OR OTHERS OR IF THE JUVENILE IS A FLIGHT RISK AND THERE ARE NO LESS RESTRICTIVE ALTERNATIVES AVAILABLE; TO GIVE A JUVENILE'S ATTORNEY THE RIGHT TO BE HEARD BEFORE THE COURT ORDERS THE USE OF RESTRAINTS; AND IF RESTRAINTS ARE ORDERED, TO REQUIRE THE COURT TO MAKE FINDINGS OF FACT IN SUPPORT OF THE ORDER; AND BY ADDING SECTION 24-13-425 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO KNOWINGLY, WITHOUT AUTHORITY, TO REMOVE, DESTROY, OR CIRCUMVENT THE OPERATION OF AN ELECTRONIC MONITORING DEVICE USED FOR DETENTION, A CONDITION OF BOND, PRETRIAL RELEASE, PROBATION, OR PAROLE OR TO REQUEST ANOTHER PERSON TO REMOVE, DESTROY, OR CIRCUMVENT THE OPERATION OF SUCH DEVICES AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS. - ratified title

02/27/13	Senate	Introduced and read first time (Senate Journal-page 10)
02/27/13	Senate	Referred to Committee on Judiciary (Senate Journal-page 10)
02/06/14	Senate	Recalled from Committee on Judiciary (Senate Journal-page 5)
02/07/14	Senate	Committed to Committee on Corrections and Penology (Senate Journal-page 5)
02/25/14	Senate	Polled out of committee Corrections and Penology (Senate Journal-page 12)
02/25/14	Senate	Committee report: Favorable Corrections and Penology (Senate Journal-page 12)
02/26/14	Senate	Read second time (Senate Journal-page 33)
02/26/14	Senate	Roll call Ayes-41 Nays-0 (Senate Journal-page 33)
02/27/14	Senate	Read third time and sent to House (Senate Journal-page 26)
03/04/14	House	Introduced and read first time (House Journal-page 7)
03/04/14	House	Referred to Committee on Judiciary (House Journal-page 7)
05/14/14	House	Committee report: Favorable with amendment Judiciary (House Journal-page 3)
05/20/14	House	Amended (House Journal-page 36)
05/20/14	House	Read second time (House Journal-page 36)
05/20/14	House	Roll call Yeas-103 Nays-0 (House Journal-page 37)
05/21/14	House	Read third time and returned to Senate with amendments (House Journal-page 7)
05/28/14	Senate	Concurred in House amendment and enrolled (Senate Journal-page 100)
05/28/14	Senate	Roll call Ayes-44 Nays-0 (Senate Journal-page 100)
05/29/14		Ratified R 209
06/02/14		Signed By Governor
06/06/14		Effective date 06/02/14
06/10/14		Act No. 186