**South Carolina General Assembly**

120th Session, 2013-2014

**A34, R66, H3193**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and King

Document Path: l:\council\bills\swb\5055cm13.docx

Introduced in the House on January 8, 2013

Introduced in the Senate on March 7, 2013

Last Amended on May 8, 2013

Passed by the General Assembly on May 21, 2013

Governor's Action: June 7, 2013, Signed

Summary: Computation of time served

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/18/2012 House Prefiled

 12/18/2012 House Referred to Committee on **Judiciary**

 1/8/2013 House Introduced and read first time ([House Journal‑page 129](file:///h%3A%5CHJ%20Archive%5C2013%5C01-08-13.docx))

 1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 129](file:///h%3A%5CHJ%20Archive%5C2013%5C01-08-13.docx))

 2/27/2013 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 80](file:///h%3A%5CHJ%20Archive%5C2013%5C02-27-13.docx))

 3/6/2013 House Member(s) request name added as sponsor: King

 3/6/2013 House Amended ([House Journal‑page 47](file:///h%3A%5CHJ%20Archive%5C2013%5C03-06-13.docx))

 3/6/2013 House Read second time ([House Journal‑page 47](file:///h%3A%5CHJ%20Archive%5C2013%5C03-06-13.docx))

 3/6/2013 House Roll call Yeas‑94 Nays‑17 ([House Journal‑page 48](file:///h%3A%5CHJ%20Archive%5C2013%5C03-06-13.docx))

 3/7/2013 House Read third time and sent to Senate ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2013%5C03-07-13.docx))

 3/7/2013 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5CSJ%20Archive%5C2013%5C03-07-13.docx))

 3/7/2013 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 10](file:///h%3A%5CSJ%20Archive%5C2013%5C03-07-13.docx))

 5/7/2013 Senate Polled out of committee **Corrections and Penology** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2013%5C05-07-13.docx))

 5/7/2013 Senate Committee report: Favorable with amendment **Corrections and Penology** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2013%5C05-07-13.docx))

 5/8/2013 Senate Committee Amendment Adopted ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2013%5C05-08-13.docx))

 5/15/2013 Senate Read second time ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2013%5C05-15-13.docx))

 5/15/2013 Senate Roll call Ayes‑39 Nays‑2 ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2013%5C05-15-13.docx))

 5/16/2013 Senate Read third time and returned to House with amendments ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2013%5C05-16-13.docx))

 5/21/2013 House Concurred in Senate amendment and enrolled ([House Journal‑page 51](file:///h%3A%5CHJ%20Archive%5C2013%5C05-21-13.docx))

 5/21/2013 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 52](file:///h%3A%5CHJ%20Archive%5C2013%5C05-21-13.docx))

 6/4/2013 Ratified R 66

 6/7/2013 Signed By Governor

 6/14/2013 Effective date 06/07/13

 6/14/2013 Act No. 34

**VERSIONS OF THIS BILL**

[12/18/2012](file:///p%3A%5Cpprever%5C2013-14%5C3193_20121218.docx)

[2/27/2013](file:///p%3A%5Cpprever%5C2013-14%5C3193_20130227.docx)

[3/6/2013](file:///p%3A%5Cpprever%5C2013-14%5C3193_20130306.docx)

[5/7/2013](file:///p%3A%5Cpprever%5C2013-14%5C3193_20130507.docx)

[5/8/2013](file:///p%3A%5Cpprever%5C2013-14%5C3193_20130508.docx)

(A34, R66, H3193)

**AN ACT TO AMEND SECTION 24‑13‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER, SO AS TO PROVIDE THAT ANY TIME SERVED UNDER HOUSE ARREST BY A PRISONER MAY BE USED IN COMPUTING TIME SERVED BY A PRISONER.**

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

**Computation of time served by a prisoner**

SECTION 1. Section 24‑13‑40 of the 1976 Code, as last amended by Act 237 of 2010, is further amended to read:

 “Section 24‑13‑40. The computation of the time served by prisoners under sentences imposed by the courts of this State must be calculated from the date of the imposition of the sentence. However, when (a) a prisoner shall have given notice of intention to appeal, (b) the commencement of the service of the sentence follows the revocation of probation, or (c) the court shall have designated a specific time for the commencement of the service of the sentence, the computation of the time served must be calculated from the date of the commencement of the service of the sentence. In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing, and may be given for any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense.”

**Time effective**

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

Ratified the 4th day of June, 2013.

Approved the 7th day of June, 2013.

\_\_\_\_\_\_\_\_\_\_