~~Indicates Matter Stricken~~

Indicates New Matter

POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE

March 25, 2014

**S. 1093**

Introduced by Senators Fair, Campbell, Young, Turner, Williams, Massey, Shealy and Thurmond

S. Printed 3/25/14--S.

Read the first time March 11, 2014.

**THE COMMITTEE ON CORRECTIONS AND PENOLOGY**

To whom was referred a Bill (S. 1093) to amend Section 24‑3‑965, as amended, Code of Laws of South Carolina, 1976, relating to the exclusive jurisdiction of the magistrate court to try cases, etc., respectfully

**REPORT:**

Has polled the Bill out majority favorable.

**A** **BILL**

TO AMEND SECTION 24‑3‑965, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCLUSIVE JURISDICTION OF THE MAGISTRATE COURT TO TRY CASES INVOLVING THE OFFENSE OF FURNISHING TO AN INMATE AND THE POSSESSION BY AN INMATE OF CERTAIN CONTRABAND, SO AS TO PROVIDE THAT CONTRABAND COVERED BY THIS SECTION DOES NOT INCLUDE TELECOMMUNICATION DEVICES, AND TO DEFINE THE TERM “TELECOMMUNICATION DEVICE”.

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

SECTION 1. Section 24‑3‑965 of the 1976 Code, as last amended by Act 237 of 2010, is further amended to read:

“Section 24‑3‑965. (A) Notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, 24‑3‑950, and 24‑7‑155, the offenses of furnishing contraband, other than weapons, ~~or~~ illegal drugs, or telecommunication devices, to an inmate under the jurisdiction of the Department of Corrections or to an inmate in a county jail, municipal jail, regional detention facility, prison camp, work camp, or overnight lockup facility, and the possession of contraband, other than weapons, ~~or~~ illegal drugs, or telecommunication devices, by an inmate under the jurisdiction of the Department of Corrections or by an inmate in a county jail, municipal jail, regional detention facility, prison camp, work camp, or overnight lockup facility must be tried exclusively in magistrates court. Matters considered contraband within the meaning of this section are those which are designated as contraband by the Director of the Department of Corrections or by the local facility manager.

(B) For purposes of this section, ‘telecommunication device’ means a device, an apparatus associated with a device, or a component of a device that enables, or may be used to enable, communication with a person outside of a place of incarceration, including a telephone, cellular telephone, personal digital assistant, transmitting radio, or computer connected or capable of being connected to a computer network, by wireless or other technology, or otherwise capable of communicating with a person or device outside of a place of incarceration.”

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

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