COMMITTEE REPORT

April 20, 2016

**S. 338**

Introduced by Senators S. Martin and Bryant

S. Printed 4/20/16--H.

Read the first time May 12, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 338) to amend Article 1, Chapter 13, Title 24 of the 1976 Code, relating to general provisions regarding prisoners, by adding Section 24‑13‑180 to provide that, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

F. GREGORY DELLENEY for Committee.

**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24‑13‑180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

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

SECTION 1. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24‑13‑180. (A) Any public, private, or nonprofit entity whose primary purpose is in helping to rehabilitate and reintroduce into the community paroled inmates and which as part of its program provides or furnishes residential housing in the community to these parolees on either an individual or communal basis must comply with the following provisions of this section in addition to all other requirements of law:

(1) The entity at least thirty days before locating any parolees in any type of residential facility including manufactured homes must publish a notice in a newspaper of general circulation in the community giving the address of where the residential facility will be located. A separate notice is required each time such a facility is to be opened.

(2) A public hearing must be conducted by the entity at least sixty days before the first residential facility opens in the community where all residents of the community must be given an opportunity to comment on the program and on the location of any or all of the proposed facilities which have been determined by the entity as of the date of the public hearing. A separate public hearing is required each time a facility is to be opened if more than ninety days has transpired since the last public hearing.

(B) The Department of Probation, Parole and Pardon Services and its staff members are exempt from the provisions of this section. Family members or other persons providing housing to a parolee, but not operating an on‑going program targeting the reintegration of parolees, are exempt from the provisions of this section.

(C) This section only applies to a county, incorporated municipality, or town where there are no zoning requirements.

(D) The provisions of this section must be complied with before a facility may be opened after the effective date of this section.”

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

‑‑‑‑XX‑‑‑‑