**South Carolina General Assembly**

122nd Session, 2017-2018

**A49, R70, S271**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Allen

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Introduced in the Senate on January 24, 2017

Introduced in the House on March 28, 2017

Last Amended on March 23, 2017

Passed by the General Assembly on May 11, 2017

Governor's Action: May 19, 2017, Signed

Summary: Inmates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/24/2017 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\sj\20170124.docx))

1/24/2017 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 10](file:///h:\sj\20170124.docx))

3/16/2017 Senate Committee report: Favorable with amendment **Corrections and Penology** ([Senate Journal‑page 10](file:///h:\sj\20170316.docx))

3/23/2017 Senate Committee Amendment Adopted

3/23/2017 Senate Amended

3/23/2017 Senate Read second time ([Senate Journal‑page 26](file:///h:\sj\20170323.docx))

3/23/2017 Senate Roll call Ayes‑37 Nays‑0 ([Senate Journal‑page 26](file:///h:\sj\20170323.docx))

3/23/2017 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 26](file:///h:\sj\20170323.docx))

3/24/2017 Senate Read third time and sent to House ([Senate Journal‑page 1](file:///h:\sj\20170324.docx))

3/28/2017 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj\20170328.docx))

3/28/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 9](file:///h:\hj\20170328.docx))

5/3/2017 House Committee report: Favorable **Judiciary** ([House Journal‑page 66](file:///h:\hj\20170503.docx))

5/9/2017 House Requests for debate‑Rep(s). Tallon, Pope, Hixon, Taylor, Blackwell, Felder, Magnuson, Martin, Cole, Allison, Chumley, Daning, Arrington, Collins, Bennett, Elliott, Atkinson, Rhyal, Forrest, Atwater, Ott, Cobb‑Hunter, Ballentine, Huggins, Bannister, Whitmire, Ridgeway, Douglas, Caskey, Finlay, Henegan, Govan, Hewitt ([House Journal‑page 201](file:///h:\hj\20170509.docx))

5/10/2017 House Read second time ([House Journal‑page 81](file:///h:\hj\20170510.docx))

5/10/2017 House Roll call Yeas‑98 Nays‑2 ([House Journal‑page 81](file:///h:\hj\20170510.docx))

5/11/2017 House Read third time and enrolled

5/15/2017 Ratified R 70

5/19/2017 Signed By Governor

5/25/2017 Effective date 5/19/17

5/31/2017 Act No. 49

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=271&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/24/2017](file:///p:\pprever\2017-18\271_20170124.docx)

[3/16/2017](file:///p:\pprever\2017-18\271_20170316.docx)

[3/23/2017](file:///p:\pprever\2017-18\271_20170323.docx)

[5/3/2017](file:///p:\pprever\2017-18\271_20170503.docx)

(A49, R70, S271)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS’ FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS OR VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED, TO PROVIDE FOR THE TRANSPORTATION OF THE INMATE AND TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES, THE DEPARTMENT SHALL NOTIFY THE VICTIM AND RELATIVES OF THE VICTIMS OF THE CRIME COMMITTED BY THE INMATE; AND TO AMEND SECTION 24‑3‑210, RELATING TO FURLOUGHS FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.**

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

**Inmate privileges**

SECTION 1. Article 1, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑220. (A) Notwithstanding another provision of law, when the parent or parent substitute identified on an inmate’s visitation list, sibling, spouse, child, grandparent, or grandchild of an inmate becomes seriously ill to the point of imminent death, or dies, and when the department has determined that there is no security risk to the public or institution, an inmate must be offered the choice either to attend the person’s viewing or funeral service or, prior to the person’s death, to visit the person in the hospital. The location of the viewing, funeral, or hospital visit must be in South Carolina.

(B) The department must verify the person’s relationship to the inmate and the person’s illness or death.

(C) The department shall provide the necessary security and transportation for the inmate. The department also may engage the services of the sheriff or any other certified law enforcement officer in order to provide the necessary security and transportation for the inmate. The department, sheriff, or other certified law enforcement officer that provides security and transportation for the inmate may collect the actual cost for security and transportation. The charge may not exceed the actual expense incurred by the department, sheriff, or other law enforcement agency. The charge must be collected in advance from a third party on behalf of the inmate or, if no third party pays, through a deduction from the inmate’s trust account.

(D) When applicable, the department shall notify the victim of the crime of which the inmate was convicted, or adjudicated guilty of committing, and notify the relatives of the victim who have applied for notification, as provided in Section 16‑3‑1530.”

**Inmate privileges**

SECTION 2. Section 24‑3‑210(A)(5) of the 1976 Code is amended to read:

“(5) visit a spouse, child (including stepchild, adopted child, or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person, though not a natural parent, who has acted in the place of a parent), brother, or sister.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 15th day of May, 2017.

Approved the 19th day of May, 2017.

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