**South Carolina General Assembly**

123rd Session, 2019-2020

**S. 333**

**STATUS INFORMATION**

General Bill

Sponsors: Senator M.B. Matthews

Document Path: l:\s-res\mbm\004prob.sp.mbm.docx

Companion/Similar bill(s): 218

Introduced in the Senate on January 8, 2019

Introduced in the House on January 23, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Probationer community service supervisors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 187](file:///h:\sj\20190108.docx))

1/8/2019 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 187](file:///h:\sj\20190108.docx))

1/10/2019 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 2](file:///h:\sj\20190110.docx))

1/10/2019 Senate Committed to Committee on **Corrections and Penology** ([Senate Journal‑page 2](file:///h:\sj\20190110.docx))

1/16/2019 Senate Polled out of committee **Corrections and Penology** ([Senate Journal‑page 9](file:///h:\sj\20190116.docx))

1/16/2019 Senate Committee report: Favorable **Corrections and Penology** ([Senate Journal‑page 9](file:///h:\sj\20190116.docx))

1/22/2019 Senate Read second time ([Senate Journal‑page 20](file:///h:\sj\20190122.docx))

1/22/2019 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 20](file:///h:\sj\20190122.docx))

1/23/2019 Senate Read third time and sent to House ([Senate Journal‑page 12](file:///h:\sj\20190123.docx))

1/23/2019 House Introduced and read first time ([House Journal‑page 12](file:///h:\hj\20190123.docx))

1/23/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 12](file:///h:\hj\20190123.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=333&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/8/2019](file:///p:\pprever\2019-20\333_20190108.docx)

[1/16/2019](file:///p:\pprever\2019-20\333_20190116.docx)

POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE

January 16, 2019

**S. 333**

Introduced by Senator M.B. Matthews

S. Printed 1/16/19--S.

Read the first time January 8, 2019.

**THE COMMITTEE ON CORRECTIONS AND PENOLOGY**

To whom was referred a Bill (S. 333) to amend Article 5, Chapter 21, Title 24 of the 1976 Code, relating to probation, by adding Section 24‑21‑435, to provide that probation officers, etc., respectfully

**REPORT:**

Has polled the Bill out majority favorable.

**A** **BILL**

TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24‑21‑435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

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

SECTION 1. Article 5, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24‑21‑435. (A) Probation officers, court personnel, county and municipal personnel, public officials, charitable organizations, and private volunteers that allow those who are on probation to participate in community service programs pursuant to Section 24‑21‑430 are not liable for civil damages, unless an injury or damages result from the gross negligence, recklessness, or intentional misconduct of such person or organization.

(B) Nothing in this section shall be construed as granting immunity to a driver transporting a probationer to community service or a motorist who, by his negligence, injures a probationer on community service.

(C) Nothing in this section shall be construed as granting a probationer who is voluntarily completing community service as a condition of probation pursuant to Section 24‑21‑430 any claim under workers’ compensation.”

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

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