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# REPORT OF THE LEGISLATIVE SUBCOMMITTEE

(Pitts, Lowe, GM Smith, Hosey & Finlay – Staff Contact: Katie Owen)

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## HOUSE BILL 3742

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H. 3742 -- Rep. Pitts: A BILL TO AMEND SECTIONS 24-21-230 AND 24-21-280, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT, DUTIES, AND POWERS OF DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES' AGENTS, HEARING OFFICERS, AND STAFF, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT MAY EMPLOY OFFENDER SUPERVISION SPECIALISTS, TO PROVIDE THAT THE DEPARTMENT SHALL PROMULGATE REGULATIONS REGARDING THE QUALIFICATIONS FOR THESE EMPLOYEES, AND PROCEDURES FOR CLASSIFYING OFFENDERS AS STANDARD AND LOW-RISK, AND TO PROVIDE THE DUTIES AND AUTHORITY OF AN OFFENDER SUPERVISION SPECIALIST.

***Summary of Bill:***

This bill establishes the Offender Supervision Specialist position to oversee the supervision of standard and low-risk offenders at the Department of Probation, Parole and Pardon Services. The department shall promulgate regulations for the qualifications and procedures.

***Estimated Revenue Impact:***

This bill would have no expenditure impact on the General Fund, Other Funds, or Federal Funds as the bill codifies an existing pilot program.

***Subcommittee Recommendation:***

Favorable



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 3742 Introduced on February 14, 2017  
**Author:** Pitts  
**Subject:** Offender Supervision Specialists  
**Requestor:** House Ways and Means  
**RFA Analyst(s):** Gardner  
**Impact Date:** March 9, 2017

**Estimate of Fiscal Impact**

	FY 2017-18	FY 2018-19
<b>State Expenditure</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	\$0	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

This bill would have no expenditure impact on the General Fund, Other Funds, or Federal Funds as the bill codifies an existing pilot program.

**Explanation of Fiscal Impact**

**Introduced on February 14, 2017**

**State Expenditure**

This bill, which relates to employment matters at the Department of Probation, Parole, and Pardon Services, provides that the agency director may employ offender supervision specialists to oversee the supervision of standard and low-risk offenders. These specialists will have the same duties and authority granted to probation agents but will not have the power to issue an arrest warrant or citation for a violation of supervision conditions nor have the authority to enforce the criminal laws of the State. Duties of the specialists include investigating cases; providing those under supervision with a written statement and instruction of conditions of the probation, parole, or community service; keeping informed with regard to the conduct and condition of each person being supervised; keeping records of supervision work; conducting an actuarial assessment of offender risks and needs; and calculating and awarding compliance credits for those with supervision terms of more than one year. The bill also charges the agency with promulgating regulations on the qualifications for specialists and developing procedures for classifying offenders as standard or low-risk.

**Department of Probation, Parole and Pardon Services.** The department reports the bill codifies current agency practices utilized in the Offender Supervision Specialist Pilot Program. As such, the bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director

**South Carolina General Assembly**  
122nd Session, 2017-2018

**H. 3742**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Pitts

Document Path: I:\council\bill\gt\5290cm17.docx

Introduced in the House on February 14, 2017

Currently residing in the House Committee on **Ways and Means**

Summary: Probation, Parole and Pardon

**HISTORY OF LEGISLATIVE ACTIONS**

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
2/14/2017	House	Introduced and read first time ( <u>House Journal-page 44</u> )
2/14/2017	House	Referred to Committee on <b>Judiciary</b> ( <u>House Journal-page 44</u> )
3/2/2017	House	Recalled from Committee on <b>Judiciary</b> ( <u>House Journal-page 18</u> )
3/2/2017	House	Recommitted to Committee on <b>Ways and Means</b> ( <u>House Journal-page 18</u> )

View the latest [legislative information](#) at the website

**VERSIONS OF THIS BILL**

2/14/2017

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**A BILL**

TO AMEND SECTIONS 24-21-230 AND 24-21-280, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT, DUTIES, AND POWERS OF DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES' AGENTS, HEARING OFFICERS, AND STAFF, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT MAY EMPLOY OFFENDER SUPERVISION SPECIALISTS, TO PROVIDE THAT THE DEPARTMENT SHALL PROMULGATE REGULATIONS REGARDING THE QUALIFICATIONS FOR THESE EMPLOYEES, AND PROCEDURES FOR CLASSIFYING OFFENDERS AS STANDARD AND LOW-RISK, AND TO PROVIDE THE DUTIES AND AUTHORITY OF AN OFFENDER SUPERVISION SPECIALIST.

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

SECTION 1. Section 24-21-230 of the 1976 Code, as last amended by Act 273 of 2010, is further amended by adding the following appropriately lettered subsection at the end to read:

“( ) The director, in his discretion, may employ offender supervision specialists to oversee the supervision of standard and low-risk offenders. The department shall promulgate regulations for the qualifications of offender supervision specialists and procedures for classifying offenders as standard and low-risk offenders based on criminal risk factors.”

SECTION 2. Section 24-21-280 of the 1976 Code, as last amended by Act 154 of 2016, is further amended by adding the following appropriately lettered subsection at the end:

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2 “() Offender supervision specialists have the same duties and  
3 authority granted to probation agents, except for the authority  
4 granted in subsection (B).”

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

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