

## Session 111 - (1995-1996)

### **S 0284 General Bill, By T.W. Mitchell and Washington**

#### ***Similar (S 0649)***

A Bill to enact the "Criminal Justice Refinement and Planning Act of 1995"; to amend the Code of Laws of South Carolina, 1976, by adding Chapter 27 to Title 24 so as to provide for community corrections incentive, including providing, among other things, that the Department of Corrections and the Department of Probation, Pardon and Parole jointly shall develop and implement criteria to assist the courts in identifying offenders who would be suitable candidates for commitment and referral to a community corrections facility; to amend the 1976 Code by adding Section 24-3-25 so as to revise that the governing bodies of counties and/or municipalities may join in establishing local multi-jurisdictional correctional or detention facilities for the confinement of person awaiting trial or sentence on criminal charges, convicted and sentenced on criminal charges, or not otherwise eligible for confinement in state or other facilities; to amend Section 24-9-20, relating to inspection of state and local facilities housing prisoners or pretrial detainees, so as to provide, among other things, that food service operations of such facilities must be inspected at least annually by an employee of the Department of Health and Environmental Control; amend Section 24-9-30, relating to the jail and prison inspection program and enforcement of minimum standards, so as to provide, among other things, that if the Director of the Department of Corrections determines that the public interest is served by permitting a confinement facility to remain open, when the facility, under other criteria, should be closed, he may stipulate actions to avoid or delay closing the facility; to amend Chapter 13, Title 24, relating to prisoners, by adding Article 17 so as to provide for the center for alcohol and drug rehabilitation; to amend the 1976 Code by adding Section 22-5-580 so as to establish a statewide pretrial classification program to bring about an improvement of magistrates' collections and consideration of information concerning release of persons placed in jail pending disposition of criminal charges, and provide that the Department of Probation, Pardon and Parole shall promulgate regulations to be used by magistrates to be used by magistrates in improving the collections and the consideration of information on persons requesting release on appearance recognizance or appearance bonds; to amend the 1976 Code by adding Chapter 29 to Title 24 so as to establish and provide for the South Carolina Sentencing and Corrections Policy Commission; to amend Section 24-3-20, relating to, among other things, provisions that convicted persons shall be in the custody of the Department of Corrections, that the Director of the Department of Corrections shall designate the place of confinement, prisoner paid employment, and litter removal, so as to, among other things, provide that nothing in this Section prevents a court from ordering a sentence to run concurrently with a sentence being served in another state or an active federal sentence; to amend Section 24-3-30, relating to designation of places of prisoner confinement, exceptions, and notification to the Department of Corrections of the closing of county prison facilities, so as to, among other things, provide that a county or municipality, through mutual agreement or contract, may arrange with another county or municipality or a local multi-jurisdictional correctional facility for the detention of its prisoners; to amend Section 24-3-330, relating to purchase by the State and the State's political subdivisions of products produced by convict labor, so as to, among other things, provide that the Materials Management Office of the Division of General Services shall monitor the cooperation of state offices, departments, institutions, and agencies in the procurement of goods, products, and services from the Division of Prison Industries of the Department of Corrections; to amend Section 24-3-360, relating to the annual preparation of catalogues describing articles produced by convict labor, so as to provide that nothing in Chapter 3 of Title 24 prohibits a state office, department, institution, or agency or the political subdivisions of the State from contacting and requesting the Department of Corrections to manufacture or produce articles or products similar, but not identical, to articles or products listed in the catalogue; to amend Section 24-3-410, as amended, relating to the prohibition against the sale of prison-made products on the open market and penalties, so as to provide that the provisions of this Section do not apply to articles or products produced as the result of a contract entered into pursuant to Section 24-3-430; to amend the 1976 Code by adding Section 24-3-430 so as to provide that the director of the Department of Corrections may establish a program involving the use of inmate labor in private industry for the manufacturing and processing of goods, wares, or merchandise or the provision of services or another business or commercial enterprise considered by the director to enhance the general welfare of the State, and provide further, among other things, that the Director may enter into contracts necessary to implement this program; to amend Section 11-35-710, relating to the South Carolina Consolidated Procurement Code, procurement organization, and exemptions, so as to, among other things, provide an exemption for the purchase of goods, products, and services by state offices, departments, institutions, agencies, boards, and commissions or the political subdivisions of the State from the Division of Prison Industries of the Department of Corrections; and to require a report on certain matters from the Department of Corrections to the General Assembly by the first day of the 1996 legislative session.

**11/14/94 Senate Prefiled**

**11/14/94 Senate Referred to Committee on Corrections and Penology**

**01/10/95 Senate Introduced and read first time SJ-119**

01/10/95 Senate Referred to Committee on Corrections and Penology SJ-119