**South Carolina General Assembly**

126th Session, 2025-2026

**S. 140**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Devine

Document Path: SMIN-0039MW25.docx

Prefiled in the Senate on December 11, 2024

Currently residing in the Senate Committee on **Corrections and Penology**

Summary: Voting Rights Notification

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2024 Senate Prefiled

12/11/2024 Senate Referred to Committee on **Corrections and Penology**

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/140_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24‑3‑180, RELATING TO TRANSPORTATION AND CLOTHES FOR DISCHARGED INMATES, SO AS TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; BY ADDING SECTION 24‑13‑190 SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 24‑21‑280, RELATING TO THE DUTIES AND POWERS OF PROBATION AGENTS AND THE AUTHORITY TO ENFORCE CRIMINAL LAWS, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A FELONY WHO, BY COMPLETING SUPERVISION, HAS COMPLETED ALL TERMS OF HIS SENTENCE MUST BE PROVIDED WITH THE CONTACT INFORMATION OF THE VOTER REGISTRATION BOARD; AND BY AMENDING SECTION 7‑5‑120, RELATING TO QUALIFICATIONS FOR REGISTRATION AND PERSONS DISQUALIFIED FROM REGISTERING OR VOTING, SO AS TO PROVIDE THAT A PERSON FORMERLY DISQUALIFIED FROM VOTING MUST PROVIDE VERIFICATION AT THE TIME OF REGISTRATION THAT HE HAS SERVED HIS SENTENCE.

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

SECTION 1. Section 24-3-180 of the S.C. Code is amended to read:

Section 24-3-180. (A) Whenever When an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation and parole, then the Department of Corrections must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120.

SECTION 2. Article 1, Chapter 13, Title 24 of the S.C. Code is amended by adding:

Section 24‑13‑190. If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation and parole, then a detention facility, as defined by Section 24‑13‑80, must provide a written notice that contains the contract information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120.

SECTION 3.Section 24‑21‑280 of the S.C. Code is amended to read:

Section 24‑21‑280. (A) A probation agent must investigate all cases referred to him for investigation by the judges or director and report in writing. He must furnish to each person released on probation, parole, or community supervision under his supervision a written statement of the conditions of probation, parole, or community supervision and must instruct him regarding them. He must keep informed concerning the conduct and condition of each person on probation, parole, or community supervision under his supervision by visiting, requiring reports, and in other ways, and must report in writing as often as the court or director may require. He must use practicable and suitable methods that are consistent with evidence‑based practices to aid and encourage persons on probation, parole, or community supervision to bring about improvement in their conduct and condition and to reduce the risk of recidivism for the offenders under his supervision. A probation agent must keep detailed records of his work, make reports in writing, and perform other duties as the director may require.

(B) A probation agent has, in the execution of his duties, the power to issue an arrest warrant or a citation charging a violation of conditions of supervision, the powers of arrest, and, to the extent necessary, the same right to execute process given by law to sheriffs. A probation agent has the power and authority to enforce the criminal laws of the State. In the performance of his duties of probation, parole, community supervision, and investigation, he is regarded as the official representative of the court, the department, and the board.

(C) A probation agent must conduct an actuarial assessment of offender risks and needs, including criminal risk factors and specific needs of each individual, under the supervision of the department, which shall be used to make objectively based decisions that are consistent with evidence‑based practices on the type of supervision and services necessary. The actuarial assessment tool shall include screening and comprehensive versions. The screening version shall be used as a triage tool to determine offenders who require the comprehensive version. The director also shall require each agent to receive annual training on evidence‑based practices and criminal risks factors and how to target these factors to reduce recidivism.

(D) A probation agent, in consultation with the probation agent's supervisor, shall identify each individual under the department's supervision, with a term of supervision of more than one year, and shall calculate and award compliance credits as provided in this section. Credits may be earned from the first day of supervision on a thirty‑day basis, but must not be applied until after each thirty‑day period of supervision has been completed. Compliance credits may be denied for noncompliance on a thirty‑day basis as determined by the department. The denial of nonearned compliance credits is a final decision of the department and is not subject to appeal. An individual may earn up to twenty days of compliance credits for each thirty‑day period in which the department determines that the individual has substantially fulfilled all of the conditions of the individual's supervision.

(E) Any portion of the earned compliance credits are subject to be revoked by the department if an individual violates a condition of supervision during a subsequent thirty‑day period.

(F) The department shall provide annually to the Sentencing Reform Oversight Committee the number of offenders who qualify for compliance credits and the amount of credits each has earned within a fiscal year.

(G) Offender supervision specialists have the same duties and authority granted to probation agents, except for the authority granted in subsection (B).

(H) If a person who has been convicted of a felony or offenses against the election laws, by completing supervision, has completed all terms of his sentence, then the probation agent must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120. If the person’s supervision is completed through the granting of a pardon pursuant to Section 24‑21‑950(A)(3), then the probation agent may fulfill this requirement by including the information with the pardon certificate.

SECTION 4. Section 7‑5‑120 of the S.C. Code is amended to read:

Section 7‑5‑120. (A) Every citizen of this State and the United States who applies for registration must be registered if he meets the following qualifications:

(1) meets the age qualification as provided in Section 4, Article II of the Constitution of this State;

(2) is not laboring under disabilities named in the Constitution of 1895 of this State; and

(3) is a resident in the county and in the polling precinct in which the elector offers to vote.

(B) A person is disqualified from being registered or voting if he:

(1) is mentally incompetent as adjudicated by a court of competent jurisdiction; or

(2) is serving a term of imprisonment resulting from a conviction of a crime; or

(3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

(C) A person formerly disqualified from being registered to vote or from voting pursuant to subsection (B)(3) must provide verification at the time of registration that he has served his disqualifying sentence, including probation and parole time.

SECTION 5. This act takes effect upon approval by the Governor.

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