**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3559**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Williams

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Prefiled in the House on December 5, 2024

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

Summary: Inmate wages

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3559_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-40, RELATING TO THE DISPOSITION OF THE WAGES OF PRISONERS ALLOWED TO WORK, SO AS TO PROVIDE PRISONERS WHO ARE PAID LESS THAN THE FEDERALLY ESTABLISHED MINIMUM WAGE SHALL NOT HAVE THE COST FOR ROOM AND BOARD DEDUCTED FROM THEIR WAGES, AND TO PROVIDE FOR THE DISPOSITION OF THIS PORTION OF THEIR WAGES.

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

SECTION 1. Section 24-3-40(A)(3) of the S.C. Code is amended to read:

(3) Thirty-five percent must be used to pay the prisoner’s child support obligations pursuant to law, court order, or agreement of the prisoner. These child support monies must be disbursed to the guardian of the child or children or to appropriate clerks of court, in the case of court ordered child support, for application toward payment of child support obligations, whichever is appropriate. If there are no child support obligations, then twenty-five percent must be used by the Department of Corrections to defray the cost of the prisoner’s room and board. Furthermore, if there are no child support obligations, then ten percent must be made available to the inmate during his incarceration for the purchase of incidentals pursuant to subsection (4). This is in addition to the ten percent used for the same purpose in subsection (4).

Notwithstanding the provisions contained in this item, a prisoner who participates in the prison industries program who is paid less than the federally established minimum wage, and does not have child support obligations, shall not have twenty-five percent of his wages used to defray the cost of his room and board. This amount must be made available to him during his incarceration for the purchase of incidentals in addition to the ten percent used for the same purpose pursuant to item (4).

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

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