**South Carolina General Assembly**

125th Session, 2023-2024

**A137, R152, H4002**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope

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Introduced in the House on February 21, 2023

Introduced in the Senate on May 9, 2023

Last Amended on March 6, 2024

Currently residing in the House

Governor's Action: May 13, 2024, Signed

Summary: Department of Corrections

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/21/2023 House Introduced and read first time (House Journal‑page 25)

 2/21/2023 House Referred to Committee on **Judiciary** (House Journal‑page 25)

 2/22/2023 House Member(s) request name added as sponsor: Carter

 5/3/2023 House Member(s) request name added as sponsor: Robbins

 5/3/2023 House Committee report: Favorable with amendment **Judiciary** (House Journal‑page 92)

 5/4/2023 House Member(s) request name added as sponsor:
 Blackwell, Forrest, Pope

 5/4/2023 House Amended (House Journal‑page 98)

 5/4/2023 House Read second time (House Journal‑page 98)

 5/4/2023 House Roll call Yeas-106 Nays-0 (House Journal‑page 98)

 5/4/2023 House Unanimous consent for third reading on next legislative day (House Journal‑page 101)

 5/5/2023 House Read third time and sent to Senate (House Journal‑page 5)

 5/8/2023 Scrivener's error corrected

 5/9/2023 Senate Introduced and read first time (Senate Journal‑page 10)

 5/9/2023 Senate Referred to Committee on **Corrections and Penology** (Senate Journal‑page 10)

 2/15/2024 Senate Committee report: Favorable with amendment **Corrections and Penology** (Senate Journal‑page 8)

 2/16/2024 Scrivener's error corrected

 2/22/2024 Senate Committee Amendment Adopted (Senate Journal‑page 16)

 2/22/2024 Senate Read second time (Senate Journal‑page 16)

 2/22/2024 Senate Roll call Ayes-45 Nays-0 (Senate Journal‑page 16)

 2/27/2024 Scrivener's error corrected

 2/27/2024 Senate Read third time and returned to House with amendments (Senate Journal‑page 13)

 2/28/2024 House Debate adjourned until Tues., 3-5-24 (House Journal‑page 30)

 3/6/2024 House Senate amendment amended (House Journal‑page 62)

 3/6/2024 House Returned to Senate with amendments (House Journal‑page 62)

 3/6/2024 House Roll call Yeas-117 Nays-0 (House Journal‑page 63)

 3/20/2024 Senate Concurred in House amendment and enrolled

 3/20/2024 Senate Roll call Ayes-46 Nays-0

 5/8/2024 Ratified R 152

 5/13/2024 Signed By Governor

 5/29/2024 Effective date 05/13/24

 5/29/2024 Act No. 137

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**VERSIONS OF THIS BILL**

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[05/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20230504.docx)

[05/04/2023-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20230504a.docx)

[05/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20230508.docx)

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[02/16/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20240216.docx)

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[02/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20240227.docx)

[03/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4002_20240306.docx)

**NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.**

(A137, R152, H4002)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “CAPTAIN ROBERT JOHNSON ACT” BY ADDING SECTION 24‑3‑980 SO AS TO PROVIDE IT IS UNLAWFUL FOR INMATES UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM “TELECOMMUNICATION DEVICE”, AND TO PROVIDE PENALTIES.

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

“Captain Robert Johnson Act”

SECTION 1. This act may be cited as the “Captain Robert Johnson Act”.

Department of Corrections

SECTION 2. Chapter 3, Title 24 of the S.C. Code is amended by adding:

 Section 24‑3‑980. (A) It is unlawful for an inmate under the jurisdiction of the Department of Corrections to possess a telecommunication device unless authorized to do so by the director. For purposes of this section a “telecommunication device” means a device, an apparatus associated with a device, or a component of a device that enables, or may be used to enable, communication with a person inside or outside of a place of incarceration. Such devices include, but are not limited to, portable two‑way pagers, handheld radios, cellular telephones, personal digital assistants or PDAs, laptop computers, or any components of these devices. “Telecommunication device” also includes any new technology that is developed or used for similar purposes.

 (B) A person violating the provisions of this section, upon conviction, for a:

  (1) first offense, is guilty of a misdemeanor and must be imprisoned not more than one year;

 (2) second or subsequent offense is guilty of a felony and must be imprisoned not more than five years; and

 (3) situation in which the finder of fact finds beyond a reasonable doubt that the use of a telecommunication device pursuant to the provisions of this section was the proximate cause of the commission of any subsequent felony offense, is guilty of a felony and must be imprisoned not more than ten years.

Time effective

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

Ratified the 8th day of May, 2024.

Approved the 13th day of May, 2024.

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