

## Session 109 - (1991-1992)

### **S\*1450 (Rat #0545, Act #0453 of 1992) General Bill, By Holland**

A Bill to amend Section 17-22-30, Code of Laws of South Carolina, 1976, relating to pretrial intervention programs established by the circuit solicitors, so as to provide that the South Carolina Commission on Prosecution Coordination shall oversee administrative procedures for these programs; to amend Section 17-22-40, relating to the office of pretrial intervention coordinator, so as to transfer this office from the Attorney General's office to the Commission on Prosecution Coordination and to provide that the coordinator must be employed by the Commission on Prosecution Coordination; to amend Section 17-22-50, relating to persons not eligible for pretrial intervention, so as to further provide for those offenses which make persons ineligible for pretrial intervention and for a determination that the provisions of this Section do not apply; to amend Section 17-22-60, relating to certain standards and conditions appropriate for pretrial intervention, so as to clarify that intervention is appropriate if the offender has not previously been accepted in a pretrial intervention program; to amend Sections 17-22-70 and 17-22-80, relating to admission to a pretrial intervention program, so as to further provide for such admission; to amend Section 17-22-100, relating to the time for application to an intervention program, so as to revise this time and the manner in which this time may be waived, and to provide for preliminary approval for pretrial; to amend Section 17-22-110, as amended, relating to fees for application and acceptance, so as to change the term "acceptance fee" to the term "participation fee" and further provide for persons who shall pay pretrial fees; to amend Section 17-22-120, relating to alcohol and drug abuse services for offenders in an intervention program, so as to provide that no services may be denied due to an offender's inability to pay; to amend Section 17-22-130, relating to reports and identification as to offenders accepted for intervention, so as to further provide for the retention of these records and reports and for those persons authorized to receive certain information in regard to intervention; to amend Section 17-22-150, relating to disposition of charges against offenders accepted for intervention, so as to further provide for those agencies or individuals required to destroy records relating to the offense; to add Section 17-22-170, so as to make it a misdemeanor for any person to unlawfully retain or release information on an offender's participation in a pretrial intervention program and to provide penalties for violation; and to repeal Section 17-2-160, relating to the time within which the pretrial intervention programs were required to be first established; and to amend Section 56-5-2940, relating to penalties for the offense of driving a motor vehicle under the influence of intoxicating liquor, drugs, or like substances, so as to provide that out-of-state convictions for this offense within ten years of the date of the last offense also constitute prior offenses within the meaning of this Section.-amended title

<b>04/06/92</b>	<b>Senate</b>	<b>Introduced and read first time SJ-5</b>
<b>04/06/92</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-7</b>
<b>04/15/92</b>	<b>Senate</b>	<b>Committee report: Favorable Judiciary SJ-10</b>
<b>04/28/92</b>	<b>Senate</b>	<b>Amended SJ-47</b>
<b>04/28/92</b>	<b>Senate</b>	<b>Read second time SJ-47</b>
<b>04/28/92</b>	<b>Senate</b>	<b>Ordered to third reading with notice of amendments SJ-47</b>
<b>04/29/92</b>	<b>Senate</b>	<b>Amended SJ-291</b>
<b>04/29/92</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-292</b>
<b>04/30/92</b>	<b>House</b>	<b>Introduced and read first time HJ-10</b>
<b>04/30/92</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-11</b>
<b>05/14/92</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-287</b>
<b>05/27/92</b>	<b>House</b>	<b>Debate adjourned until Thursday, May 28, 1992 HJ-43</b>
<b>05/27/92</b>	<b>House</b>	<b>Reconsidered HJ-100</b>
<b>05/27/92</b>	<b>House</b>	<b>Amended HJ-101</b>
<b>05/27/92</b>	<b>House</b>	<b>Read second time HJ-103</b>
<b>05/28/92</b>	<b>House</b>	<b>Read third time and returned to Senate with amendments HJ-26</b>
<b>06/02/92</b>	<b>Senate</b>	<b>Concurred in House amendment and enrolled SJ-14</b>
<b>06/04/92</b>		<b>Ratified R 545</b>
<b>06/30/92</b>		<b>Signed By Governor</b>
<b>06/30/92</b>		<b>Effective date 06/30/92</b>
<b>06/30/92</b>		<b>Act No. 453</b>
<b>07/28/92</b>		<b>Copies available</b>