

## Session 113 - (1999-2000)

**H 3108 General Bill, By Wilkins, Knotts, Altman, Inabinett, Stuart, Leach, R. Smith, Witherspoon, Hamilton, Simrill, Campsen, Klauber, Sandifer, Vaughn, Law, Hawkins, Harrison, Keegan, D. Smith, Kirsh, Wilder, Robinson, Askins, Woodrum, Phillips, Harrell, Lucas, Barrett, Young-Brickell, Hinson, Bailey, Allison, Cato, Walker, Mason, Rodgers, Gilham, Maddox, Rhoad, Meacham, Littlejohn, Rice and Seithel**

**Summary:** Advisory Sentencing Guidelines Act, Corrections, Crimes and Offenses, Prisoners, Probation, Parole and Pardon

A BILL TO AMEND TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMES AND OFFENSES BY ADDING CHAPTER 2 SO AS TO PROVIDE ADVISORY SENTENCING GUIDELINES; TO AMEND SECTION 16-1-10, AS AMENDED, RELATING TO THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO REVISE THE EXEMPT CATEGORY OF CRIMES; TO AMEND SECTION 16-1-20, AS AMENDED, RELATING TO PENALTIES FOR THE VARIOUS CLASSES OF CRIMES, SO AS TO REVISE THE SET OF CRIMES THE MINIMUM TERM OF IMPRISONMENT APPLIES TO; TO AMEND SECTION 16-1-30, AS AMENDED, RELATING TO THE CLASSIFICATION OF OFFENSES, SO AS TO PROVIDE THAT ALL OFFENSES ARE AUTOMATICALLY CLASSIFIED; TO AMEND SECTION 24-3-20, AS AMENDED, RELATING TO CONFINEMENT OF PRISONERS AND WORK RELEASE PROGRAM ELIGIBILITY, SO AS TO SUBSTITUTE CERTAIN CLASSIFIED FELONIES AND EXEMPT OFFENSES FOR THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTION 24-13-125, RELATING TO CONDITIONS A PRISONER MUST MEET TO BECOME ELIGIBLE FOR WORK RELEASE, SO AS TO SUBSTITUTE CERTAIN FELONIES AND EXEMPT OFFENSES FOR THE TERM "NO PAROLE OFFENSES" AND TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN LOCAL CORRECTIONAL FACILITIES; TO AMEND SECTION 24-13-150, RELATING TO CONDITIONS A PRISONER MUST MEET TO BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION, SO AS TO SUBSTITUTE "AN OFFENSE" FOR THE TERM "NO PAROLE OFFENSE" AND TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN LOCAL CORRECTIONAL FACILITIES; TO AMEND SECTION 24-13-210, AS AMENDED, RELATING TO ELIGIBILITY FOR AND FORFEITURE OF GOOD CONDUCT CREDITS, SO AS TO LIMIT THE AMOUNT OF TIME A PRISONER CAN EARN FOR GOOD BEHAVIOR TO THREE DAYS A MONTH AND TO ELIMINATE THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTION 24-13-230, AS AMENDED, RELATING TO ELIGIBILITY FOR EDUCATION CREDITS, SO AS TO LIMIT THE AMOUNT OF TIME A PRISONER CAN EARN FOR PARTICIPATING IN AN EDUCATION PROGRAM TO SIX DAYS A MONTH AND TO ELIMINATE THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTION 24-13-430, RELATING TO RIOTING OR INCITING TO RIOT, SO AS TO REVISE THE PENALTY; TO AMEND SECTION 24-13-650, AS AMENDED, RELATING TO THE PROHIBITION AGAINST THE RELEASE OF AN OFFENDER INTO THE COMMUNITY IN WHICH HE COMMITTED THE CRIME, SO AS TO SUBSTITUTE CERTAIN CLASSIFIED FELONIES AND EXEMPT OFFENSES FOR THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTIONS 24-13-710 AND 24-13-720, BOTH AS AMENDED, RELATING TO THE SUPERVISED FURLOUGH PROGRAM, SO AS TO SUBSTITUTE CERTAIN CLASSIFIED FELONIES AND EXEMPT OFFENSES FOR THE TERM "NO PAROLE OFFENSE" AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-13-1310, AS AMENDED, RELATING TO THE SHOCK INCARCERATION PROGRAM, SO AS TO SUBSTITUTE CERTAIN CLASSIFIED FELONIES AND EXEMPT OFFENSES FOR THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTION 24-21-30, AS AMENDED, RELATING TO PAROLE, SO AS TO ELIMINATE PAROLE FOR A CRIME AND TO PROVIDE THAT CERTAIN OFFENDERS MUST COMPLETE A COMMUNITY SUPERVISION PROGRAM BEFORE HIS DISCHARGE FROM HIS SENTENCE; TO AMEND SECTION 24-21-560, RELATING TO PRISONERS WHO MUST COMPLETE A COMMUNITY SUPERVISION PROGRAM OPERATED BY THE DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES BEFORE THEIR RELEASE FROM THE CRIMINAL JUSTICE SYSTEM, SO AS TO REVISE THE OFFENSES THAT REQUIRE AN OFFENDER TO COMPLETE A COMMUNITY SUPERVISION PROGRAM AND TO PROVIDE THAT A JUDGE MAY INCLUDE COMPLETION OF A COMMUNITY SUPERVISION PROGRAM AS A PART OF A SENTENCE FOR CERTAIN CRIMES AND TO SUBSTITUTE CERTAIN CLASSIFIED CRIMES FOR THE TERM "NO PAROLE OFFENSE"; TO AMEND SECTION 24-26-10, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA SENTENCING GUIDELINES COMMISSION, SO AS TO REVISE THE COMPOSITION OF THE COMMISSION; TO AMEND SECTION 24-26-20, AS AMENDED, RELATING TO DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA SENTENCING GUIDELINES COMMISSION, SO AS TO REVISE THE CONTENTS OF ITS ANNUAL REPORT; TO REPEAL SECTIONS 2-13-66, 16-1-90, 16-1-100, AND 16-1-110 RELATING TO THE CLASSIFICATION OF FELONIES AND MISDEMEANORS; TO REPEAL SECTION 24-13-100 RELATING TO THE DEFINITION OF "NO PAROLE OFFENSE", AND TO PROVIDE A SEVERABILITY CLAUSE, AND THAT ALL PROCEEDINGS PENDING AT THE TIME THIS ACT TAKES EFFECT ARE SAVED AND THAT THE PROVISIONS OF THIS ACT APPLY PROSPECTIVELY.

**12/16/98 House Prefiled**

12/16/98	House	Referred to Committee on Judiciary
01/12/99	House	Member(s) request name removed as sponsor: Fleming
01/12/99	House	Introduced and read first time HJ-39
01/12/99	House	Referred to Committee on Judiciary HJ-42
01/27/99	House	Committee report: Favorable with amendment Judiciary HJ-2
02/02/99	House	Requests for debate-Rep(s). Harrison, T. Brown, Sharpe, R. Smith, Altman, Beck, Knotts, Woodrum, McGee, J. Smith, Clyburn, Young-Brickell, Parks, Rutherford & Scott HJ-21
02/03/99	House	Amended HJ-30
02/03/99	House	Read second time HJ-38
02/03/99	House	Roll call Yeas-83 Nays-30 HJ-38
02/04/99	House	Read third time and sent to Senate HJ-31
02/09/99	Senate	Introduced and read first time SJ-8
02/09/99	Senate	Referred to Committee on Judiciary SJ-8
03/28/00	Senate	Recalled from Committee on Judiciary SJ-225
03/28/00	Senate	Recommitted to Committee on Judiciary SJ-225