

Session 115 - (2003-2004)

H 5217 General Bill, By J.E. Smith

Summary: Pardoned offense, review of during sentencing phase of a trial, provisions

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-1005 SO AS TO PROVIDE THAT A PARDONED OFFENSE MAY BE REVIEWED BY A COURT DURING THE SENTENCING PHASE OF A TRIAL WHEN A DEFENDANT WHO WAS PARDONED FOR A VIOLENT CRIME AS CONTAINED IN SECTION 16-1-60 IS SUBSEQUENTLY CONVICTED OF ANOTHER VIOLENT CRIME AS CONTAINED IN SECTION 16-1-60; AND TO AMEND SECTION 24-21-221, AS AMENDED, RELATING TO NOTICE OF BOARD HEARINGS THAT THE DIRECTOR OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES MUST GIVE TO CERTAIN PERSONS REGARDING PAROLE CONSIDERATIONS, SO AS TO PROVIDE THAT THIS NOTICE MUST ALSO BE GIVEN TO THESE PERSONS BEFORE THE BOARD CONSIDERS GRANTING A PARDON.

05/06/04 House Introduced and read first time HJ-112

05/06/04 House Referred to Committee on Judiciary HJ-112