**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4443**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Toole, Frye, Spires, Limehouse, Bingham, Bowen, Daning, Harrell, Horne, Kirsh, Loftis, G.R. Smith, Stringer, Umphlett, Wylie and A.D. Young

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Introduced in the House on January 27, 2010

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

Summary: Parole

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/27/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-27-10.docx)‑32

1/27/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-27-10.docx)‑32

**VERSIONS OF THIS BILL**

[1/27/2010](file:///p:\pprever\2009-10\4443_20100127.docx)

**A** **BILL**

TO AMEND SECTION 24‑21‑645, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF PAROLE AND PROVISIONAL PAROLE ORDERS, AND FUTURE PAROLE HEARINGS FOR PERSONS WHO HAVE BEEN DENIED PAROLE, SO AS TO INCREASE THE NUMBER OF YEARS A PERSON MUST WAIT TO HAVE A PAROLE HEARING AFTER RECEIVING A NEGATIVE DETERMINATION OF PAROLE FOR A VIOLENT CRIME.

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

SECTION 1. Section 24‑21‑645 of the 1976 Code is amended to read:

“Section 24‑21‑645. (A) The board may issue an order authorizing the parole which must be signed either by a majority of its members or by all three members meeting as a parole panel on the case ninety days prior to the effective date of the parole; however, at least two‑thirds of the members of the board must authorize and sign orders authorizing parole for persons convicted of a violent crime as defined in Section 16‑1‑60. A provisional parole order shall include the terms and conditions, if any, to be met by the prisoner during the provisional period and terms and conditions, if any, to be met upon parole. Upon satisfactory completion of the provisional period, the director or one lawfully acting for him must issue an order which, if accepted by the prisoner, shall provide for his release from custody.

(B) ~~However,~~ Upon a negative determination of parole, prisoners in confinement for a violent crime as defined in Section 16‑1‑60 must have their cases reviewed every ~~two~~ three years for the purpose of a determination of parole~~, except that prisoners~~. This subsection applies prospectively and retroactively to a prisoner who has had a parole hearing for a violent crime.

(C) Prisoners who are eligible for parole pursuant to Section 16‑25‑90, and who are subsequently denied parole must have their cases reviewed every twelve months for the purpose of a determination of parole. This ~~section~~ subsection applies retroactively to a prisoner who has had a parole hearing pursuant to Section 16‑25‑90 prior to the effective date of this act.”

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

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