COMMITTEE REPORT

February 18, 2009

**H. 3343**

Introduced by Rep. Rutherford

S. Printed 2/18/09--H.

Read the first time January 27, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3343) to amend the Code of Laws of South Carolina, 1976, by adding Section 24‑5‑180 so as to provide that the administrator of a jail or detention center, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 1, Chapter 5, Title 24 of the 1976 Code is amended by adding:

“Section 24-5-180. (A) The administrator of a jail or local detention facility shall provide an attorney access to his clients who are confined in these facilities at any time the attorney requests such access.

(B) However, the administrator of a jail or local detention facility may reasonably delay the requested access when exigent circumstances exist or when, in the normal course of business, the jail or local detention facility is in lockdown for the purpose of maintaining safe and orderly operation of the jail or local detention facility. In all circumstances, the administrator of the jail or local detention facility shall schedule visitation space and times that accommodate the attorney’s schedule, as well as the facilities’ needs, without unnecessary delay.”

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

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑5‑180 SO AS TO PROVIDE THAT THE ADMINISTRATOR OF A JAIL OR DETENTION CENTER SHALL PROVIDE AN ATTORNEY ACCESS TO HIS CLIENTS WHO ARE CONFINED IN THESE FACILITIES DURING THE PERIOD OF EIGHT O’CLOCK A.M. TO SIX O’CLOCK P.M.

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

SECTION 1. Article 1, Chapter 5, Title 24 of the 1976 Code is amended by adding:

“Section 24‑5‑180. The administrator of a jail or local detention facility shall provide an attorney access to his clients who are confined in these facilities during the period of eight o’clock a.m. to six o’clock p.m.”

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

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