**A** **BILL**

TO AMEND SECTION 17‑15‑10 OF THE 1976 CODE, RELATING TO CONDITIONS OF RELEASE FOR A PERSON CHARGED WITH A NONCAPITAL OFFENSE, TO PROVIDE A COURT MAY ORDER A PERSON TO WEAR AN APPROVED ELECTRONIC MONITORING DEVICE AS A CONDITION OF RELEASE AND MAY ORDER A PERSON TO PAY THE COST OF ELECTRONIC MONITORING.

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

SECTION 1. Section 17‑15‑10 of the 1976 Code is amended to read:

“Section 17‑15‑10. (A) Any person charged with a noncapital offense triable in either the magistrates, county or circuit court, shall, at his appearance before any of such courts, be ordered released pending trial on his own recognizance without surety in an amount specified by the court, unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as required, or unreasonable danger to the community will result. If such a determination is made by the court, it may impose any one or more of the following conditions of release:

(1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;

(2) place the person in the custody of a designated person or organization agreeing to supervise him;

(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

(4) require the person to wear an approved electronic monitoring device, pursuant to the Home Detention Act, Section 24‑13‑1530(A), or be subject to monitoring by a global positioning system tracking device, or other similar device. The person may be charged for the cost of the electronic monitoring device and the operation of the electronic monitoring device for the duration of the time the person is required to be electronically monitored;

~~(4)~~(5) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

(B) Any person charged with the offense of burglary in the first degree pursuant to Section 16‑11‑311 may have his bond hearing for that charge in summary court unless the solicitor objects.”

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

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