AMENDED

February 22, 2017

**H. 3278**

Introduced by Reps. Rutherford, Clyburn and Gilliard

S. Printed 2/22/17--H.

Read the first time January 10, 2017.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑980 SO AS TO PROVIDE THAT A STATE, COUNTY, OR MUNICIPAL DETENTION FACILITY SHALL NOT PROHIBIT AN IN‑PERSON MEETING BETWEEN AN INMATE AND HIS ATTORNEY.

Amend Title To Conform

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

SECTION 1. Article 9, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑980. (A) An inmate in a state, county, or municipal detention facility shall not be prohibited access to legal counsel when requested, provided such access does not jeopardize the security of the detention facility or prohibit the normal operations of the detention facility. In the event an in‑person meeting is requested between an inmate and legal counsel, the state, county, or municipal detention facility shall make a reasonable effort to accommodate the request, provided the meeting does not jeopardize the security of the detention facility or prohibit the normal operations of the detention facility.

(B) For the purposes of this section, an ‘in‑person meeting’ is a meeting that occurs when an inmate and legal counsel have been placed in the same room or general area with no continuous partition. The state, county, or municipal detention facility may provide general visual observation of the area in which the in‑person meeting occurs, but shall not provide audio or video supervision of the area so as to uphold the privileged nature of the inmate’s communications with legal counsel.”

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

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