**A** **BILL**

TO AMEND SECTION 17‑15‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BAIL AND RECOGNIZANCES AND PERSONS CHARGED WITH NONCAPITAL OFFENSES AND CONDITIONS OF RELEASE, AMONG OTHER THINGS, SO AS TO PROVIDE A BAIL SCHEDULE TO SERVE AS A GUIDE FOR GENERAL SESSIONS COURT OFFENSES TO BE USED WHEN SETTING BAIL FOR PERSONS CHARGED WITH BAILABLE OFFENSES.

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

SECTION 1. Section 17‑15‑10 of the 1976 Code, as last amended by Act 58 of 2015, is further amended to read:

“Section 17‑15‑10. (A) A person charged with a noncapital offense triable in either the magistrates, county or circuit court, ~~shall,~~ at his appearance before any of such courts, may be ordered released pending trial on his ownrecognizance 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 or an individual 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 pursuant to the following schedule established as a general guide for general sessions court offenses to be used in setting bail for persons charged with bailable offenses:

(a) for a felony with a maximum penalty of not more than:

(i) thirty years, Class A felony, fifty thousand dollars to two hundred fifty thousand dollars;

(ii) twenty‑five years, Class B felony, fifty thousand dollars to one hundred thousand dollars;

(iii) twenty years, Class C felony, thirty thousand dollars to fifty thousand dollars;

(iv) fifteen years, Class D felony, fifteen thousand dollars to thirty thousand dollars;

(v) ten years, Class E felony, seven thousand five hundred dollars to fifteen thousand dollars; and

(vi) five years, Class F felony, five thousand dollars to seven thousand five hundred dollars;

(b) for a misdemeanor with a maximum penalty of not more than:

(i) three years, Class A misdemeanor, two thousand five hundred dollars to five thousand dollars;

(ii) two years, Class B misdemeanor, one thousand dollars to two thousand five hundred dollars; and

(iii) one year, Class C misdemeanor, five hundred dollars to one thousand dollars.

The court, in its discretion, may set bail above or below the amounts provided in this item;

(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) 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) A 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. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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