**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3386**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on January 10, 2023

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

Summary: Test for marijuana may not be performed during urinalysis or blood test on probationer

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/8/2022 House Prefiled

12/8/2022 House Referred to Committee on **Judiciary**

1/10/2023 House Introduced and read first time ([House Journal‑page 154](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 154](h:\hj\20230110.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3386&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3386_20221208.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 24-21-430, relating to Conditions of probation, so as to PROVIDE TESTs FOR THE PRESENCE OF MARIJUANA MAY NOT BE PERFORMED DURING a URINALYSIS OR BLOOD TESTs PERFORMED ON PROBATIONERS.

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

SECTION 1. The fourth unnumbered paragraph of Section 24‑21‑430 of the S.C. Code is amended to read:

The probationer shall:

(1) refrain from the violations of any state or federal penal laws;

(2) avoid injurious or vicious habits;

(3) avoid persons or places of disreputable or harmful character;

(4) permit the probation agent to visit at his home or elsewhere;

(5) work faithfully at suitable employment as far as possible;

(6) pay a fine in one or several sums as directed by the court;

(7) perform public service work as directed by the court;

(8) submit to a urinalysis, or a blood test, or both upon request of the probation agent. However, a test for the presence of marijuana may not be performed during a urinalysis or blood test;

(9) submit to curfew restrictions;

(10) submit to house arrest which is confinement in a residence for a period of twenty‑four hours a day, with only those exceptions as the court may expressly grant in its discretion;

(11) submit to intensive surveillance which may include surveillance by electronic means;

(12) support his dependents; and

(13) follow the probation agent’s instructions and advice regarding recreational and social activities.

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

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