

**SENATE FINANCE COMMITTEE
CRIMINAL JUSTICE SUBCOMMITTEE
PROVISO CHANGES FOR CONSIDERATION FOR FY 2025-26**

SECTION 57 - B040 - JUDICIAL DEPARTMENT

- 57.3 CONFORM TO FUNDING/AMEND** (JUD: Judicial Expense Allowance) Provides a \$1000 monthly expense allowance to full time judges.
WMC: AMEND proviso to increase the monthly allowance to \$1500. Requested by the Judicial Department.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/ADOPT proviso as amended.

57.3. (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive one thousand five hundred dollars per month as expense allowance.

- 57.19 DELETE** (JUD: Circuit Court Judges) Suspends the requirements of Section 14-5-130 for the current fiscal year.
WMC: DELETE proviso. Requested by the Judicial Department.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

57.19. (JUD: Circuit Court Judges) ~~From the funds appropriated to the Judicial Department, the requirements of Section 14-5-130 pertaining to circuit court judges absents themselves from the State shall be suspended for the current fiscal year.~~

- 57.20 AMEND NEW PROVISO** (JUD: Travel Court) **WMC:** ADD new proviso to direct that Supreme Court Justices and Court of Appeal judges may be reimbursed for expenses incurred for a traveling term of court outside of Richland County. Requested by the Judicial Department.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete reference of reimbursement for actual expenses and add language that allows Justices and Judges to elect to receive actual expenses incurred for meals and lodging in lieu of the allowable subsistence expense.

57.20. (JUD: Travel Court) Upon approval of the Chief Justice, Supreme Court Justices and Judges of the Court of Appeals or any acting Justice on the Supreme Court or acting Judge of the Court of Appeals may ~~be reimbursed for actual expenses incurred~~ elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense for a traveling term of court held outside of Richland County.

- 57.21 ADD** (JUD: Calhoun and Supreme Court Building Office Space Renovations) **WMC:** ADD new proviso to direct that funds from Act 239 of 2022, Section 118.19(48) be redirected to renovate office space in the Calhoun Building and the Supreme Court Building. Requested by the Judicial Department.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

57.21. (JUD: Calhoun and Supreme Court Building Office Space Renovations) Funds appropriated in Act 239 of 2022, Section 118.19(48) to the Judicial Department for the Court of

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Appeals New Courtroom and Office Space shall be redirected to be used to renovate office space located in the Calhoun Building and Supreme Court Building.

- 57.22 DELETE** (JUD: Across the Board Budget Reductions) **WMC:** ADD new proviso to direct that if EBO or the General Assembly implements an across the board budget reduction, funds appropriate in Part 1A, Section 57 are exempt. Requested by the Judicial Department.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~57.22. (JUD: Across the Board Budget Reductions) Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated in Part 1A, Section 57, shall be exempt from any such mandated budget reductions.~~

- 57.23 DELETE** (JUD: Reactivated Judge Program) **WMC:** ADD new proviso to direct that the requirement for retired judges or justices to serve three consecutive months without pay before receiving the pay difference provided for in Section 9-8-120(3) is suspended. Directs that a retired judge or justice shall receive \$400 per day for full judicial duties with approval from the Chief Justice. Requested by the Judicial Department.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~57.23. (JUD: Reactivated Judge Program) In the current fiscal year, the provisions of Section 9-8-120(3) requiring a retired judge or justice serve without pay until service of three or more consecutive months of full judicial duties as an acting justice or as a judge prior to receiving the difference between retirement payment and active pay are suspended. Upon approval of the Chief Justice, a retired judge or justice shall receive \$400 a day for full judicial duties.~~

- 57.24 CONFORM TO FUNDING/ADD** (JUD: Chief Administrative Judge Allowance) **WMC:** ADD new proviso to direct that each chief administrative judge assigned to Circuit and Family Courts shall receive a monthly allowance of \$1000. Requested by the Judicial Department.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/ADOPT new proviso.

57.24. (JUD: Chief Administrative Judge Allowance) Each Chief Administrative Judge assigned to Circuit and Family Courts shall receive one thousand dollars per month as an administrative allowance.

SECTION 60 - E210 - PROSECUTION COORDINATION COMMISSION

- 60.3 CONFORM TO FUNDING/AMEND** (PCC: Judicial Circuits State Support) Directs that funds appropriated for Judicial Circuits State Support be apportioned quarterly to the circuits on a per capita basis.
WMC: AMEND proviso to update distributed amounts. Requested by the Prosecution Coordination Commission.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/ADOPT proviso as amended.

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60.3. (PCC: Judicial Circuits State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits. The first ~~\$4,692,961~~ \$7,632,961 shall be distributed on a per capita basis based upon the current official census. The next ~~\$1,659,041~~ \$2,919,041 shall be distributed on a pro-rata basis. Payment shall be made as soon after the beginning of each quarter as practical.

SECTION 62 - D100 - STATE LAW ENFORCEMENT DIVISION

62.tp **ADD** (SLED: PTSD Treatment Program) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that coroners and deputy coroners with Class I or III officer status are eligible to participate in the PTSD treatment program.

62.tp. (SLED: PTSD Treatment Program) Coroners and deputy coroners, as defined in Section 17-5-5, who hold a certified Class I or Class III officer status shall be eligible for the PTSD treatment program administered through the State Law Enforcement Division and the South Carolina Law Enforcement Assistant Program.

SECTION 66 - N080 - DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES

66.6 **AMEND** (DPPP: Reentry Transition Services) Directs the department to allocate up to \$500,000, if available, for reentry transition services.
WMC: AMEND proviso to update fiscal year reference.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

66.6. (DPPP: Reentry Transition Services) For Fiscal Year ~~2024-25~~ 2025-26, the Department of Probation, Parole and Pardon Services shall allocate up to \$500,000 of any fund balances, if available, for reentry transition services.

SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE

67.14. **DELETE** (DJJ: Other Funds) Authorize the department to carry forward and expend any General Fund balances and any cash or fund balances from the sources provided for agency operating and capital needs. Directs that the department shall submit a plan prior to the expenditure of any of these funds for the review of the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Corrections and Penology Committee, and House Judiciary Committee.
WMC: AMEND proviso to update fiscal year reference.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

67.14. (DJJ: Other Funds) ~~Notwithstanding any provision of state law, for Fiscal Year 2024-25, the Department of Juvenile Justice is authorized to carry forward and expend for agency operating and/or capital needs any cash or fund balances from the following sources: Law Enforcement Funding; Traffic Education Program App; Juvenile Detention Services; Joint Children's Committee; Court Fines Detention Services; and Dedicated Court Fines. For purposes of this provision, agency operating and/or capital needs includes the following items: (1) The recruitment and retention of qualified staff; (2) Youth Services Training and Community Programs; (3) Physical Plant Maintenance and Upgrades; and (4) Projects on both the Agency's~~

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~~Master Plan and Comprehensive Permanent Improvement Plan. The department shall submit a plan regarding the use of these funds to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Corrections and Penology Committee, and the Chairman of the House Judiciary Committee. This plan shall be submitted for review before the expenditure of any of these funds.~~

SECTION 117 - X900 - GENERAL PROVISIONS

117.111 AMEND (GP: Retail Facilities Revitalization Act Repeal Suspension) Suspends the repeal of Chapter 34 of Title 6, relating to the Retail Facilities Act, as specified in Act 285 of 2006 for sites that provided DOR written notification of election of mode of credit before 7/1/16 and for which a building permit was issued prior to 7/1/16.

WMC: AMEND proviso to update fiscal year reference.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.111. (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34, Title 6 of the 1976 Code as specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for Fiscal Year ~~2024-25~~ 2025-26.

117.161 AMEND (GP: Employee Retention and Recruitment) Appropriates funds to the Commission on Prosecution Coordination Commission and the Commission on Indigent Defense for recruitment and retention. Directs that before funds are disbursed, all Prosecution and Indigent Defense Circuits shall provide a report of current warrants pending. Directs the commissions to provide progress reports to the Chief Administrative Judge of each respective circuit handling the General Sessions docket, the Chairmen of the Senate Finance Committee and House Ways and Means Committee, and the Governor's Office semiannually.

WMC: AMEND proviso to update fiscal year reference.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.161. (GP: Employee Retention and Recruitment) (A) For Fiscal Year ~~2024-25~~ 2025-26, the Circuit Solicitor and Circuit Public Defender for each judicial circuit shall provide to the Commission on Prosecution Coordination Director and the Commission on Indigent Defense Director, respectively, a report of current warrants pending. The report shall provide the total number of warrants pending in Circuit Court on July 1st of the preceding and current fiscal year, and the total number of warrants disposed of in the previous fiscal year. In addition, the report shall provide the aging categories for pending warrants as follows: (1) those pending 365 days or less; (2) those pending 366 days to 544 days; and (3) the number of warrants pending more than 545 days. Each circuit shall also submit on a semiannual basis an updated report on the current number of warrants pending.

(B) The Commission on Prosecution Coordination and the Commission on Indigent Defense shall semiannually report progress updates to the Chief Administrative Judge of each respective circuit handling the General Sessions docket, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor's Office. The report shall include the utilization of the funds distributed among the circuits, steps taken to retain current employees, the number of new FTEs that have been hired, and information obtained from

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circuits on how these measures will go towards reducing both the number and aging warrants pending.

117.196 AMEND (GP: Three-Tier Prosecution Incentive Program) **WMC:** ADD new proviso to direct the Commission on Prosecution Coordination and the Commission on Indigent Defense to work together to launch a pilot project to implement the “Three-Tier System” in each circuit. This system will divide new cases among three teams: one to intake and review cases, another to prepare for court, and a third to handle guilty pleas, pre-trial motions, and trials. By June 30, 2026, both commissions must submit a report to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee, including the total number of pending warrants.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to delete “shall” and insert “may” in regards to collaboration to establish the Three-Tier System and the establishment of the system by each circuit.

117.196. (GP: Three-Tier Prosecution Incentive Program) The Commission on Prosecution Coordination ~~shall~~ may collaborate with the Commission on Indigent Defense to establish a pilot project to implement a “Three-Tier System.” Each circuit ~~shall~~ may establish a system of examining new cases as they come into the system by creating three separate teams to: (1) take in and examine new cases; (2) prepare for court; and (3) present guilty pleas, participate in motion hearings and other pertinent pre-trial matters, and try cases in the courtroom. A report including the count of total pending warrants shall be provided by the Prosecution Coordination Commission and the Commission on Indigent Defense to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee by June 30, 2026.