

**AGENDA**  
**SENATE JUDICIARY COMMITTEE**

**Tuesday, March 29, 2022**  
**12:00 p.m.**  
**Room 308, Gressette Building**

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**SUBCOMMITTEE REPORTS**

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- A) **S. 22 -- Senators Hutto, Shealy and Jackson:** A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.
- B) **S. 53 -- Senators Malloy and Shealy:** A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; TO AMEND CHAPTER 19, TITLE 63, RELATING TO THE JUVENILE JUSTICE CODE, BY ADDING ARTICLE 6 TO REQUIRE EACH CIRCUIT SOLICITOR TO ESTABLISH A JUVENILE OFFENDER CIVIL CITATION PROGRAM TO PROVIDE A CIVIL DIVERSION PROGRAM FOR CHILDREN WHO HAVE COMMITTED ACTS OF DELINQUENCY, AND TO ESTABLISH ELIGIBILITY AND PARTICIPATION REQUIREMENTS; TO AMEND SECTION 16-17-425, RELATING TO UNLAWFUL STUDENT THREATS, TO ESTABLISH THAT IT IS UNLAWFUL FOR A STUDENT TO MAKE A THREAT TO COMMIT AN ACT OF MASS VIOLENCE AT A SCHOOL, COLLEGE, OR UNIVERSITY, OR AT A SCHOOL-, COLLEGE-, OR UNIVERSITY-SPONSORED ACTIVITY, AND TO PROVIDE PENALTIES; TO AMEND SECTION

16-23-430, RELATING TO POSSESSION OF A WEAPON ON SCHOOL GROUNDS, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO CARRY, WHILE ON ELEMENTARY OR SECONDARY SCHOOL PROPERTY, A KNIFE, FIREARM, OR OTHER WEAPON WITH THE INTENT BY THE PERSON TO INFLICT SERIOUS BODILY INJURY OR DEATH, OR TO CARRY UPON HIS PERSON A WEAPON, DEVICE, OR OBJECT WITH THE INTENT TO INFLICT BODILY INJURY AND TO PROVIDE PENALTIES AND EXCEPTIONS; TO AMEND SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY STATUTE, BY REMOVING REFERENCES TO ADJUDICATED DELINQUENCIES; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23, RELATING TO THE SEX OFFENDER REGISTRY, BY ADDING SECTION 23-3-435 TO REQUIRE THE COURT TO MAKE A FINDING TO DETERMINE IF A CHILD ADJUDICATED DELINQUENT FOR AN ELIGIBLE OFFENSE IS REQUIRED TO REGISTER AS A SEX OFFENDER OR PARTICIPATE IN ELECTRONIC MONITORING AND TO PROVIDE FOR THE CHILD THE ABILITY AT A LATER DATE TO REQUEST A HEARING TO END THE REQUIREMENTS OF REGISTERING AS A SEX OFFENDER OR PARTICIPATING IN ELECTRONIC MONITORING; TO AMEND SECTION 23-3-490, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, TO REQUIRE THAT ACCESS TO INFORMATION REGARDING A CHILD'S ADJUDICATION OF DELINQUENCY FOR A SEX OFFENDER STATUTE BE LIMITED TO VICTIMS, WITNESSES, CHILDCARE FACILITIES, OR BUSINESSES THAT PRIMARILY SERVE CHILDREN, WOMEN, OR VULNERABLE ADULTS; TO AMEND SECTION 23-3-540, RELATING TO ELECTRONIC MONITORING, TO CONFORM THE SEX OFFENDER STATUTE TO THE JUVENILE SECTION BY REMOVING REFERENCES TO DELINQUENCY AND THE DEPARTMENT OF JUVENILE JUSTICE; TO AMEND SECTION 63-1-40, RELATING TO THE DEFINITION OF 'STATUS OFFENSE', TO REMOVE FROM THE DEFINITION THE PLAYING OR LOITERING IN A BILLIARD ROOM, PLAYING A PINBALL MACHINE OR GAINING ADMISSION TO A THEATER BY FALSE IDENTIFICATION; TO AMEND SECTION 63-3-510, RELATING TO THE JURISDICTION OF THE FAMILY COURT, TO INCLUDE WITHIN THE COURT'S JURISDICTION A PETITION FOR REMOVAL FROM THE SEX OFFENDER REGISTRY IF THE ORDER ORIGINATED FROM THE FAMILY COURT; TO AMEND SECTION 63-3-520, RELATING TO THE CONCURRENT JURISDICTION OF FAMILY COURT AND MAGISTRATES COURT, TO INCREASE THE AGE OF CONCURRENT JURISDICTION FROM PERSONS UNDER SEVENTEEN YEARS OF AGE TO PERSONS UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTION 63-7-310, RELATING TO THE MANDATORY REPORTING OF CHILD ABUSE, TO REMOVE THE REQUIREMENT THAT A PERSON EMPLOYED BY A LAWYER MUST REPORT SUSPECTED ABUSE IF THE SUSPICION ARISES IN THE COURSE OF THE LEGAL REPRESENTATION; TO AMEND SECTION 63-19-20, RELATING TO THE DEFINITION OF 'STATUS OFFENSE', TO REMOVE FROM THE DEFINITION THE PLAYING OR LOITERING IN A BILLIARD ROOM, PLAYING A PINBALL MACHINE OR GAINING ADMISSION TO A THEATER BY FALSE IDENTIFICATION; TO AMEND CHAPTER 19, TITLE 63, BY ADDING ARTICLE 2 TO ESTABLISH THE 'CHILDREN'S BILL OF RIGHTS' TO PROVIDE THAT A CHILD HAS THE RIGHT TO BE TREATED

WITH BASIC HUMAN DIGNITY, TO BE PROVIDED NECESSARY CARE, MEDICAL TREATMENT, FOOD, EDUCATION, ACCESS TO FAMILY, ADVOCATES, AND LAWYERS, AND TO BE FREE FROM ABUSE, NEGLECT, AND HARASSMENT, AND TO PROVIDE FOR THE APPLICATION OF THESE RIGHTS; TO AMEND ARTICLE 1, CHAPTER 19, TITLE 63, BY ADDING SECTION 63-19-210 TO REQUIRE THAT LAW ENFORCEMENT MUST ARRANGE FOR A CHILD FIFTEEN YEARS OF AGE OR YOUNGER TO MEET WITH LEGAL COUNSEL PRIOR TO A CUSTODIAL INTERROGATION UNLESS THE OFFICER BELIEVES THAT THE INFORMATION SOUGHT IS NECESSARY TO PROTECT LIFE OR PROPERTY FROM AN IMMINENT THREAT; TO AMEND SECTION 63-19-340, RELATING TO THE ANNUAL REPORT BY THE DEPARTMENT OF JUVENILE JUSTICE, TO PROVIDE THAT THE REPORT MUST INCLUDE SPECIFIC STATISTICS RELATING TO CHILDREN REFERRED TO THE DEPARTMENT, THEIR RELATED OFFENSES AND SENTENCES; TO AMEND SECTION 63-19-350, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, TO REQUIRE THE DEPARTMENT TO DEVELOP AND UTILIZE STRUCTURED DECISION-MAKING TOOLS FOR ALL KEY POINTS OF THE JUVENILE JUSTICE PROCESS; TO AMEND SECTION 63-19-360 TO REQUIRE THE CHILD EVALUATION TO BE CONDUCTED BY THE DEPARTMENT TO INCLUDE A BIOPSYCHOSOCIAL ASSESSMENT AND A DETERMINATION OF THE CHILD'S MENTAL HEALTH FUNCTIONING; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63, RELATING TO CHILD DELINQUENCY PETITIONS, BY ADDING SECTION 63-19-362 TO REQUIRE THAT BEFORE SUBMITTING A PETITION FOR A CHILD IN ITS CUSTODY FOR A MISDEMEANOR THAT WOULD CARRY A MAXIMUM TERM OF IMPRISONMENT OF FIVE YEARS OR LESS, THE DEPARTMENT OF JUVENILE JUSTICE MUST ATTEMPT TO RESOLVE THE SITUATION THROUGH AVAILABLE ADMINISTRATIVE APPROACHES; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, BY ADDING SECTION 63-19-365 TO PROHIBIT THE USE OF SOLITARY CONFINEMENT ON A CHILD AND PROVIDE LIMITS FOR THE USE OF CORRECTIVE ROOM RESTRICTIONS UPON CHILDREN WITHIN THE CUSTODY OF THE DEPARTMENT; TO AMEND SECTION 63-19-370, RELATING TO INTERDEPARTMENTAL AGREEMENTS, TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO ESTABLISH AGREEMENTS WITH THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF EDUCATION TO PROVIDE REENTRY SERVICES FOR CHILDREN RETURNING TO SCHOOLS AND COMMUNITIES FROM THE DEPARTMENT'S CUSTODY; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63 BY ADDING SECTION 63-19-500, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, TO REQUIRE THAT THE DEPARTMENT ESTABLISH AT LEAST ONE PRE-DETENTION INTERVENTION PROGRAM IN EACH JUDICIAL CIRCUIT AND TO ESTABLISH PROGRAM REQUIREMENTS AND ELIGIBILITY; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63 BY ADDING SECTION 63-19-520 TO ESTABLISH THE JUVENILE JUSTICE IMPROVEMENT FUND, TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO DIVERT MONEYS SAVED FROM DECREASED RELIANCE ON OUT-OF-HOME PLACEMENT TO FUND COMMUNITY INTERVENTION PROGRAMS INCLUDING

EDUCATIONAL, MENTAL HEALTH AND BEHAVIORAL HEALTH SERVICES; TO AMEND SECTION 63-19-810, RELATING TO THE TAKING OF A CHILD INTO CUSTODY BY LAW ENFORCEMENT, TO REMOVE A DUPLICATIVE NOTIFICATION PROVISION BY LAW ENFORCEMENT TO SCHOOL PRINCIPALS AND TO REQUIRE THAT ANY CHILD SEVENTEEN YEARS OF AGE OR OLDER, WHO HAS BEEN TAKEN INTO CUSTODY BUT WHO HAS NOT BEEN RELEASED TO A PARENT OR GUARDIAN, MUST HAVE A BOND HEARING BEFORE A MAGISTRATE; TO AMEND SECTION 63-19-820, RELATING TO THE PRE-TRIAL DETENTION OF CHILDREN, TO LIMIT SECURE PRE-TRIAL DETENTION TO CIRCUMSTANCES WHERE IT IS THE LEAST RESTRICTIVE APPROPRIATE OPTION AND IF THE CHILD IS CHARGED WITH A CRIME THAT WOULD BE A FIVE YEAR FELONY OR GREATER, HAS EXHAUSTED COMMUNITY-BASED ALTERNATIVES, OR IS CHARGED WITH UNLAWFUL STUDENT THREATS OR FAILURE TO STOP FOR A BLUE LIGHT, TO REMOVE THE ELIGIBILITY OF JUVENILES CHARGED AS AN ADULT TO BE HOUSED IN ADULT DETENTION FACILITIES, AND TO PROHIBIT THE SECURE DETENTION OF STATUS OFFENDERS; TO AMEND SECTION 63-19-830, RELATING TO JUVENILE DETENTION HEARINGS, TO ALLOW THE COURT TO ORDER A CHILD DETAINED IN AN APPROVED HOME, PROGRAM, OR FACILITY OTHER THAN A SECURE JUVENILE DETENTION FACILITY WHILE AWAITING TRIAL; TO AMEND SECTION 63-19-1010, RELATING TO JUVENILE INTAKE AND PROBATION, TO REQUIRE THAT A CHILD BROUGHT BEFORE THE FAMILY COURT SHALL HAVE A PRESUMPTION FOR DIVERSION IF CERTAIN CONDITIONS ARE MET OR IF THE SOLICITOR HAS GOOD CAUSE TO BELIEVE THAT DIVERSION WOULD BE INSUFFICIENT; TO AMEND SECTION 63-19-1020, RELATING TO THE INSTITUTION OF PROCEEDINGS FOR A JUVENILE, TO REQUIRE SERVICES TO BE OFFERED BEFORE THE DEPARTMENT MAY ACCEPT A REFERRAL FOR A STATUS OFFENSE OR FOR SCHOOL-BASED OFFENSES; TO AMEND SECTION 63-19-1030, RELATING TO JUVENILE PREHEARING INQUIRIES, TO ESTABLISH THAT THE PREHEARING INVESTIGATION IS OPTIONAL AND TO ESTABLISH THE PARENTS' RIGHT TO RECEIVE NOTICE OF THE CHARGES AND THEIR RIGHTS TO AN ATTORNEY IN EVERY CASE UPON SERVICE OF A PETITION; TO AMEND ARTICLE 9, CHAPTER 19, TITLE 63, RELATING TO INTAKE AND INITIATION OF PROCEEDINGS, BY ADDING SECTION 63-19-1050 TO PROHIBIT THE CHARGING A FEE TO A CHILD AS A CONDITION OF DIVERSION AND TO LIMIT THE AMOUNT OF RESTITUTION REQUIRED OF A CHILD IN DIVERSION TO FIVE HUNDRED DOLLARS; TO AMEND ARTICLE 9, CHAPTER 19, TITLE 63, BY ADDING SECTION 63-19-1070 TO ESTABLISH THAT THE FAMILY COURT MAY ADJOURN A CRIMINAL PROCEEDING AGAINST A JUVENILE IN CONTEMPLATION OF DISMISSAL UPON COMPLETION OF CERTAIN CONDITIONS ESTABLISHED BY THE COURT, AND TO ESTABLISH ELIGIBILITY AND PARTICIPATION REQUIREMENTS; TO AMEND SECTION 63-19-1210, RELATING TO THE TRANSFER OF JURISDICTION, TO ELIMINATE THE TRANSFER TO GENERAL SESSIONS FOR A CHILD FOURTEEN OR FIFTEEN YEARS OF AGE, TO ALLOW A CHILD WHO IS TRANSFERRED TO GENERAL

SESSIONS WHO HAS BEEN CHARGED WITH MURDER TO BE ELIGIBLE TO RECEIVE A SENTENCE LESS THAN THE MANDATORY MINIMUM, AND TO ALLOW THE DETERMINATION BY THE COURT TO TRANSFER THE CHILD'S CASE TO GENERAL SESSIONS TO BE IMMEDIATELY APPEALABLE TO THE SUPREME COURT; TO AMEND SECTION 63-19-1410, RELATING TO THE ADJUDICATION OF DELINQUENCY, TO REQUIRE THE COURT TO ORDER THE LEAST RESTRICTIVE APPROPRIATE PLACEMENT FOR A CHILD ADJUDICATED DELINQUENT, TO LIMIT THE LENGTH OF PROBATION TO TWO YEARS FOR A FELONY OR ONE YEAR FOR A MISDEMEANOR OR STATUS OFFENSE UNLESS THE CHILD IS IN VIOLATION OF PROBATION, THERE IS AGREEMENT AMONGST THE PARTIES, OR THE CHILD IS PARTICIPATING IN A EVIDENCED-BASED PROGRAM THAT IS LONGER THAN THE ALLOWED TERM, TO LIMIT PROBATION TO NOT EXTEND AFTER A CHILD'S TWENTIETH BIRTHDAY, TO LIMIT THE IMPOSITION OF RESTITUTION FOR A CHILD UNDER THE AGE OF SIXTEEN UNLESS IT IS PROVEN THAT THE CHILD HAS THE ABILITY TO PAY, TO PROHIBIT THE CHILD FROM BEING ORDERED TO PAY FOR DRUG SCREENS UNLESS THE CHILD HAS INSURANCE TO COVER THE COST, AND TO ALLOW FOR THE DEPARTMENT OF JUVENILE JUSTICE TO PLACE THE CHILD ON ADMINISTRATIVE SUPERVISION FOR UP TO ONE YEAR TO PAY FOR RESTITUTION OR COMPLETE COMMUNITY SERVICE; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 63, RELATING TO THE DISPOSITIONAL POWERS OF THE FAMILY COURT, BY ADDING SECTION 63-19-1415 TO ALLOW THE CIRCUIT SOLICITORS TO OPERATE ONE OR MORE SPECIALTY TREATMENT COURTS IF ALLOWED BY THE SUPREME COURT; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF A JUVENILE FOUND DELINQUENT BY THE COURT, TO LIMIT THE PLACEMENT OF A CHILD INTO THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE UNLESS THE CHILD COMMITS CERTAIN FELONIES, THE OFFENSE INVOLVES FIREARMS, THE CHILD HAS A RECORD OF CERTAIN OFFENSES, THE CHILD IS ADJUDICATED FOR A LESSER OFFENSE THAT WOULD HAVE BEEN A FELONY AND THE PARTIES AGREE THAT COMMITMENT IS IN THE BEST INTERESTS OF THE CHILD, TO REQUIRE THE COURT TO ISSUE INDIVIDUALIZED FINDINGS AS TO WHY THE COMMITMENT IS THE LEAST RESTRICTIVE SENTENCING OPTION TO PROTECT THE PUBLIC AND REHABILITATE THE CHILD, TO PROHIBIT THE COMMITMENT OF A CHILD WHO HAS BEEN ADJUDICATED FOR A STATUS OFFENSE OR A PROBATION REVOCATION RELATED TO A STATUS OFFENSE, TO ALLOW THE COURT TO SENTENCE A CHILD WHO HAS COMMITTED AN OFFENSE WHICH CARRIES FIFTEEN YEARS OR MORE TO A DETERMINATE SENTENCE OF UP TO ONE HUNDRED EIGHTY DAYS, AND TO LIMIT THE CONSECUTIVE SENTENCING TO NOT EXCEED THE TIME ELIGIBLE FOR AN INDETERMINATE SENTENCE, TO LIMIT THE ELIGIBILITY FOR RESIDENTIAL EVALUATIONS, AND TO ALLOW FOR THE CHILD TO GET TIME SERVED CREDIT FOR COMMITMENTS TO SHORT TERM ALTERNATIVE PLACEMENTS; TO AMEND SECTION 63-19-1450 TO CLARIFY THAT A CHILD MAY NOT BE COMMITTED TO THE DEPARTMENT OF JUVENILE JUSTICE WHO IS HANDICAPPED BY MENTAL ILLNESS OR A DEVELOPMENTAL DISABILITY AND TO PROVIDE THAT THE

COURT MAY ORDER AN EVALUATION AND HOLD A HEARING REGARDING WHETHER THE CHILD MUST BE COMMITTED TO THE SUPERVISION OF THE DEPARTMENT OF MENTAL HEALTH OR THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 63, RELATING TO THE POWERS OF THE FAMILY COURT, BY ADDING SECTION 63-19-1480 TO PROVIDE THAT THE FAMILY COURT MAY CONDUCT POST-DISPOSITIONAL REVIEWS TO DETERMINE IF THE PURPOSES OF THE CRIMINAL SENTENCING HAVE BEEN MET AND THE CHILD'S SENTENCE MAY BE CLOSED, THE HEARING BEING HELD ONLY AFTER ONE YEAR OR IF THE CHILD IS IN THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE, THEN AFTER SIX MONTHS; TO AMEND SECTION 63-19-1810, RELATING TO PAROLE AND AFTERCARE, TO REMOVE THE AUTHORITY OF THE COURT TO COMMIT A CHILD TO SECURE CUSTODY FOR A PROBATION REVOCATION IF THE CHILD IS ON PROBATION FOR A STATUS OFFENSE; TO AMEND SECTION 63-19-1820, RELATING TO THE BOARD OF JUVENILE PAROLE, TO REQUIRE THE RELEASING ENTITY TO DETERMINE THE LENGTH OF STAY GUIDELINES ARE BASED ON EVIDENCE-BASED BEST PRACTICES, THE RISKS OF REOFFENDING AND THE SEVERITY OF THE OFFENSE; TO AMEND 63-19-1835, RELATING TO COMPLIANCE REDUCTIONS FOR PROBATIONERS AND PAROLEES, TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO DEVELOP AND IMPLEMENT ADMINISTRATIVE COMMUNITY-BASED SANCTIONS FOR TECHNICAL VIOLATIONS OF PROBATION OR PAROLE; TO AMEND SECTION 63-19-2020, RELATING TO THE CONFIDENTIALITY OF JUVENILE RECORDS, TO REMOVE A REFERENCE TO A DELETED CRIMINAL OFFENSE, TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO NOTIFY THE ADMINISTRATION OF A COLLEGE OR UNIVERSITY OF AN ENROLLED STUDENT'S CHARGES DELINEATED WITHIN THIS SECTION, AND TO ADD ASSAULT AND BATTERY IN THE FIRST OR SECOND DEGREES TO THE LIST OF CRIMES THAT MUST BE DISCLOSED TO SCHOOL OFFICIALS; TO AMEND SECTION 63-19-2030, RELATING TO THE JUVENILE LAW ENFORCEMENT RECORDS, TO REQUIRE LAW ENFORCEMENT TO PROVIDE CERTAIN INCIDENT REPORTS OF STUDENTS TO APPROPRIATE COLLEGE AND UNIVERSITY ADMINISTRATION, TO REMOVE THE REFERENCE TO ASSAULT AND BATTERY AGAINST SCHOOL PERSONNEL AND ADD THAT REPORTS OF ASSAULT AND BATTERY IN THE FIRST OR SECOND DEGREES MUST BE REPORTED, TO REQUIRE ANY SUCH NOTICE TO INCLUDE LANGUAGE THAT THE CHILD IS INNOCENT UNTIL PROVEN GUILTY, AND TO REQUIRE LAW ENFORCEMENT TO PROVIDE SUBSEQUENT UPDATES OF ANY DISMISSAL OR REDUCTION OF THE CHARGES; TO AMEND SECTION 63-19-2050, RELATING TO THE EXPUNGEMENT OF JUVENILE RECORDS, TO REQUIRE THE EXPUNGEMENT OF ALL OFFICIAL RECORDS RELATED TO THE ADJUDICATION OR DISPOSITION OF A STATUS OFFENSE UPON THE PERSON REACHING EIGHTEEN YEARS OF AGE OR AS SOON THEREAFTER AS HE COMPLETES ANY PENDING FAMILY COURT DISPOSITION AND TO REQUIRE THAT A CHILD SHALL NOT BE CHARGED FOR THE EXPUNGEMENT OF HIS RECORDS ORDERED UNDER THIS SECTION; TO AMEND ARTICLE 19,

CHAPTER 18, TITLE 59, BY ADDING SECTION 59-18-1970, TO REQUIRE THAT A SCHOOL DISTRICT FOR A STUDENT WHO HAS TRANSFERRED BECAUSE OF HOMELESSNESS, STATUS AS A VICTIM OF ABUSE OR NEGLECT, ADJUDICATIONS OF DELINQUENCY, OR PLACEMENT IN A FACILITY FOR MENTAL HEALTH OR DEVELOPMENTAL DISABILITIES MUST CONTACT THE STUDENT'S PRIOR SCHOOL WITHIN TWO DAYS OF ENROLLMENT AND TO REQUIRE THE PREVIOUS SCHOOL DISTRICT TO SEND THE STUDENT'S RECORDS WITHIN TWO DAYS OF REQUEST TO THE NEW SCHOOL, AND TO REQUIRE THAT THE STUDENT RECEIVE TIMELY ASSISTANCE, EQUAL ACCESS, AND PRIORITY PLACEMENT RELATING TO THE TRANSFER; TO AMEND ARTICLE 19, CHAPTER 18, TITLE 59, BY ADDING SECTION 59-19-1980, TO REQUIRE SCHOOL DISTRICTS TO PROVIDE SCHOOL LIAISONS TO ASSIST STUDENTS TRANSFERRING DUE TO INVOLVEMENT IN THE JUVENILE JUSTICE SYSTEM; TO AMEND SECTION 59-24-60, RELATING TO THE REQUIREMENT OF SCHOOL OFFICIALS TO CONTACT LAW ENFORCEMENT, TO PROVIDE THAT SCHOOL OFFICIALS MUST CONTACT LAW ENFORCEMENT IF A PERSON COMMITS AN ACTION AT A SCHOOL OR SCHOOL SPONSORED EVENT THAT WOULD BE A FELONY OR A CRIME PUNISHABLE BY FIVE YEARS OR MORE, OR IF THE ACTION RESULTS IN SERIOUS INJURY; TO AMEND SECTION 59-63-210, RELATING TO SCHOOL DISCIPLINE, TO LIMIT THE AUTHORITY OF A SCHOOL DISTRICT TO EXPEL, SUSPEND, OR TRANSFER A PUPIL UNLESS HE COMMITS A FELONY, A CRIME THAT WOULD CARRY A MAXIMUM PUNISHMENT OF FIVE YEARS OR MORE IF COMMITTED BY AN ADULT, THERE IS A THREAT OF VIOLENCE, OR IF THERE IS A VICTIM AT THE SCHOOL WHO HAS A REASONABLE FEAR FOR HIS SAFETY, AND TO LIMIT THE AUTHORITY OF THE SCHOOL DISTRICT IF THE CONDUCT COMMITTED BY THE STUDENT OCCURRED OUTSIDE OF SCHOOL, THEN THE ACTION BY THE SCHOOL DISTRICT MUST ONLY OCCUR IF THE STUDENT'S CONDUCT AMOUNTED TO A VIOLENT OFFENSE OR RESULTED IN MODERATE OR GREAT BODILY INJURY; TO AMEND SECTION 59-63-1320, RELATING TO ALTERNATIVE SCHOOLS, TO RESTRICT THE AUTOMATIC PLACEMENT OF A CHILD RETURNING FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE TO AN ALTERNATIVE SCHOOL UNLESS THE PARENT OR GUARDIAN AND CHILD AGREE THAT SUCH PLACEMENT IS APPROPRIATE, THERE IS AN INTERVENTION ASSESSMENT THAT DETERMINES THAT THERE IS AN IMMINENT THREAT OR THE LIKELIHOOD OF SERIOUS MISCONDUCT, OR THERE IS A HEARING BY THE DISTRICT WITHIN TEN DAYS, OR IF THE CHILD HAS A DISABILITY UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT THEN THE DISTRICT MUST HOLD A TEAM MEETING TO DETERMINE THE MOST APPROPRIATE EDUCATIONAL PLACEMENT; AND TO REPEAL SECTIONS 63-19-2420 AND 63-19-2430 RELATING TO THE OFFENSES OF UNLAWFUL LOITERING IN A BILLIARD ROOM AND THE UNLAWFUL PLAYING OF PINBALL.

- C) **S. 79 -- Senator Malloy:** A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO

STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

- D) S. 1045 -- Senators Alexander and M. Johnson:** A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND

SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

- E) **S. 1073 -- Senator Hembree:** A BILL TO AMEND SECTION 23-3-430 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE SEX OFFENDER REGISTRY, TO ESTABLISH A TIER SYSTEM FOR OFFENSES THAT REQUIRES AN OFFENDER TO REGISTER AS A SEX OFFENDER; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23 TO ADD SECTION 23-3-463 TO ESTABLISH THAT AN OFFENDER WHO IS REQUIRED TO REGISTER, MAY, AFTER A SPECIFIED PERIOD OF TIME BASED ON THE TIER OF HIS OFFENSE, PETITION THE CIRCUIT COURT FOR REMOVAL OF THE REQUIREMENTS OF THE SEX OFFENDER REGISTRY UPON MEETING CERTAIN REQUIREMENTS; TO AMEND SECTION 23-3-490 TO CLARIFY THE PROVISIONS FOR PUBLIC AND ELECTRONIC DISSEMINATION OF SEX OFFENDER INFORMATION; AND TO AMEND SECTION 23-3-460 TO MAKE FURTHER CONFORMING CHANGES.
- F) **H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley:** A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.
- G) **H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis:** A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.
- H) **H. 3524 -- Reps. Hixon and Forrest:** A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE

EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

- I) **H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson:** A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR “RESTORATION TREATMENT”; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON’S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.
  
- J) **H. 4062 -- Reps. Sandifer and West:** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.
  
- K) **H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks:** A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

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**PENDING SUBCOMMITTEE OUTCOME**

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- L) **S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning and Adams:** A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.