

## Session 111 - (1995-1996)

### **S 1242 General Bill, By McConnell**

#### ***Similar (H 4469)***

A Bill to enact the "South Carolina Effective Death Penalty Act of 1996" including provisions to add Section 16-3-21, Code of Laws of South Carolina, 1976, to prohibit, without prior court approval, contact with jurors who sentenced an individual to death by attorneys or agents of that individual; by adding Section 17-25-375 so as to further provide for procedures for the setting of execution dates; by amending Section 17-25-380, relating to notices of the intent to execute a death sentence, so as to further provide for these notice requirements; by adding Section 17-27-130 so as to clarify the circumstances when the attorney-client privilege is waived in State post conviction proceedings, and to provide for certain access of new counsel to the files of prior counsel in cases of defendants sentenced to death; by adding Section 17-27-140 so as to require the sentencing trial judge in capital cases to preside over collateral review proceedings unless actual bias or prejudice is found to exist; by adding Section 17-27-150 so as to provide that discovery processes are only available to the parties in a state post conviction relief case upon a showing of good cause; and by adding Section 17-27-160 so as to provide for time limits in certain matters in state post conviction relief cases involving a sentence of death for the purpose of expediting review of such cases, and to further provide for the appointment and compensation of counsel in these cases.

**03/07/96 Senate Introduced and read first time SJ-6**

**03/07/96 Senate Referred to Committee on Judiciary SJ-6**