

## Session 125 - (2023-2024)

**H 3233 General Bill, By Wooten, W. Newton, Elliott, B.J. Cox, Hewitt, Anderson, Mitchell, Yow, Hyde, Moss, Lawson, McCabe, Gagnon, Taylor, Hixon, Oremus, Ligon, Felder, M.M. Smith, Davis, B.L. Cox, O'Neal, Guffey, McGinnis, Thayer, Guest, Brittain, Erickson, Herbkersman, Bradley, Hager, Connell, Pope, Forrest, Caskey, Trantham, West and Vaughan**

**Similar (S 0146)**

**Summary:** Sexually Violent Predator Program

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTIONS 44-48-115 AND 44-48-180 SO AS TO PROVIDE FOR THE RIGHT TO CHALLENGE COMMITMENT TO THE SEXUALLY VIOLENT PREDATOR TREATMENT PROGRAM BASED ON INEFFECTIVE ASSISTANCE OF COUNSEL AND TO GIVE PRIORITY STATUS TO SEXUALLY VIOLENT PREDATOR CASES FOR PURPOSES OF SCHEDULING COURT PROCEEDINGS RESPECTIVELY; BY AMENDING SECTIONS 44-48-30, 44-48-40, 44-48-50, 44-48-80, 44-48-90, 44-48-100, 44-48-110, 44-48-120, 44-48-130, 44-48-150, AND 44-48-160, ALL RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, SO AS TO ADD DEFINITIONS FOR "QUALIFIED EVALUATOR" AND "RESIDENT" AND CHANGE THE DEFINITION OF "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE", TO ESTABLISH EFFECTIVE DATES FOR THE GRANTING OF SUPERVISED REENTRY, TO REQUIRE MULTIDISCIPLINARY TEAMS TO DETERMINE WHETHER THERE IS PROBABLE CAUSE TO BELIEVE A PERSON IS A SEXUALLY VIOLENT PREDATOR, TO PROVIDE FOR THE USE OF COURT-APPOINTED QUALIFIED EVALUATORS AND TO ESTABLISH CERTAIN TIMELINES FOR EVALUATIONS, TO ALLOW FOR THE USE OF INDEPENDENT, QUALIFIED EVALUATORS IN CERTAIN CIRCUMSTANCES, TO REQUIRE COURTS TO CONDUCT A NONJURY HEARING BEFORE RELEASE OF A PERSON FOUND INCOMPETENT TO STAND TRIAL, TO ESTABLISH CERTAIN BENCHMARKS FOR ADDITIONAL REVIEWS OF MENTAL CONDITIONS, TO ESTABLISH CERTAIN REQUIREMENTS REGARDING EVALUATORS IN PROCEEDINGS ON PETITIONS FOR RELEASE, TO ALLOW ACCESS TO SEALED COURT RECORDS BY THE ATTORNEY GENERAL AND OTHER COUNSEL OF RECORD, TO MAKE CONFORMING CHANGES, AND FOR OTHER PURPOSES; AND BY AMENDING SECTION 24-21-32, RELATING TO REENTRY SUPERVISION, SO AS TO MAKE INMATES DETERMINED TO BE SEXUALLY VIOLENT PREDATORS INELIGIBLE FOR REENTRY SUPERVISION.

**12/08/22 House Prefiled**

**12/08/22 House Referred to Committee on Judiciary**

**01/10/23 House Introduced and read first time (House Journal-page 101)**

**01/10/23 House Referred to Committee on Judiciary (House Journal-page 101)**

**01/31/23 Scrivener's error corrected**

**03/01/23 House Member(s) request name added as sponsor: Elliott, B.J.Cox, Hewitt, Anderson, Mitchell, Yow, Hyde, Moss, Lawson, McCabe, Gagnon, Taylor, Hixon, Oremus, Ligon, Felder, M.M.Smith, Davis, B.L.Cox, O'Neal, Guffey, McGinnis, Thayer, Guest, Brittain, Erickson, Herbkersman, Bradley, Hager, Connell, Pope, Forrest**

**03/02/23 House Member(s) request name added as sponsor: Caskey, Trantham, West, Vaughan**