

Session 118 - (2009-2010)

S 0726 General Bill, By Fair

Summary: Department of Probation, Pardon and Parole

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-100 SO AS TO PROVIDE THAT IN THE EVENT THAT THE DEPARTMENT OF PROBATION, PARDON AND PAROLE SERVICES LACKS SUFFICIENT FUNDS TO OPERATE THE PAROLE SYSTEM, THE DEPARTMENT AND THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES JOINTLY MAY DEVELOP POLICIES, PROCEDURES, GUIDELINES, AND COOPERATIVE AGREEMENTS TO IMPLEMENT EARLY PAROLE TERMINATION FOR CAREFULLY SCREENED AND SELECTED PAROLEES WHO HAVE SERVED A MINIMUM OF THREE MONTHS AND HAVE SATISFIED THEIR RESTITUTION OBLIGATIONS AND FINE, FEE, AND ASSESSMENT REQUIREMENTS, TO PROVIDE PAROLEE MAY NOT BE CONSIDERED FOR THIS EARLY PAROLE TERMINATION IF HE HAS BEEN CONVICTED OF CERTAIN CRIMES; AND BY ADDING SECTION 24-21-110 SO AS TO PROVIDE IN THE EVENT THAT THE DEPARTMENT LACKS SUFFICIENT FUNDS TO OPERATE THE PROBATION SYSTEM, THE DEPARTMENT AND THE DIVISION OF COURT ADMINISTRATION JOINTLY MAY DEVELOP POLICIES, PROCEDURES, GUIDELINES, AND COOPERATIVE AGREEMENTS TO IMPLEMENT EARLY PROBATION TERMINATION FOR CAREFULLY SCREENED AND SELECTED PROBATIONERS WHO HAVE SERVED A MINIMUM OF THREE MONTHS AND HAVE SATISFIED THEIR RESTITUTION OBLIGATIONS AND FINE, FEE, AND ASSESSMENT REQUIREMENTS, TO PROVIDE THE DEPARTMENT MUST PETITION THE COURT OF APPROPRIATE JURISDICTION FOR CONSIDERATION OF THE EARLY TERMINATION OF PROBATION AND THIS COURT SHALL RETAIN FINAL DISCRETION IN THE MATTER, AND TO PROVIDE A PROBATIONER MAY NOT BE CONSIDERED FOR EARLY PROBATION TERMINATION IF HE HAS BEEN CONVICTED OF CERTAIN CRIMES.

04/21/09 Senate Introduced and read first time SJ-7

04/21/09 Senate Referred to Committee on Corrections and Penology SJ-7