**South Carolina General Assembly**

118th Session, 2009-2010

**S. 904**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McConnell and Rose

Document Path: l:\s-jud\bills\mcconnell\jud0005.jjg.docx

Introduced in the Senate on January 12, 2010

Currently residing in the Senate Committee on **Judiciary**

Summary: Probation

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2009 Senate Prefiled

12/9/2009 Senate Referred to Committee on **Judiciary**

1/12/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑13

1/12/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑13

1/12/2010 Senate Referred to Subcommittee: Malloy (ch), Ford, Rankin, Knotts, Cleary

**VERSIONS OF THIS BILL**

[12/9/2009](file:///p:\pprever\2009-10\904_20091209.docx)

**A** **BILL**

TO AMEND SECTION 24‑21‑410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO THE PLACEMENT OF A DEFENDANT ON PROBATION, SO AS TO PROVIDE THAT IF THE DEFENDANT IS CONVICTED OF OR PLEADS GUILTY TO AN OFFENSE INVOLVING A VIOLENT ACT AGAINST A PERSON OR THE TAKING OF PROPERTY FROM A PERSON, AND THE DEFENDANT IS PLACED ON PROBATION, THE DEFENDANT MAY NOT BE PLACED ON PROBATION FOR ANY SUBSEQUENT OFFENSE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 24-21-410 of the 1976 Code is amended to read:

“Section 24-21-410 (A) After conviction or plea for any offense, except a crime punishable by death, ~~or~~ life imprisonment, or as provided for in subsection (B), the judge of a court of record with criminal jurisdiction at the time of sentence may suspend the imposition or the execution of a sentence and place the defendant on probation or may impose a fine and also place the defendant on probation. Probation is a form of clemency.

(B) If the defendant is convicted of or pleads guilty to an offense involving a violent act against a person or the taking of property from a person, and the defendant is placed on probation, the defendant may not be placed on probation for any subsequent offense.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑