**A** **BILL**

TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF CRIMINAL RECORDS WHEN A CHARGE IS DISMISSED OR THE PERSON IS FOUND INNOCENT OF THE CHARGE, SO AS TO SPECIFICALLY INCLUDE THAT A CIRCUIT SOLICITOR’S OFFICE OR CLERK OF COURT MAY NOT CHARGE A FEE FOR THE DESTRUCTION OR EXPUNGEMENT OF RECORDS OR FOR THE APPLICATION PROCESS REGARDING THE DESTRUCTION OR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 17‑1‑40(B) of the 1976 Code, as added by Act 82 of 2007, is amended to read:

“(B) A municipal, county, or state agency including, but not limited to, a circuit solicitor’s office or clerk of court may not collect a fee for the destruction or expungement of records or for the application or processing of an application for destruction or expungement of records pursuant to the provisions of this section.”

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

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