**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑13‑180 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO ARE CONFINED IN A LOCAL OR STATE CORRECTIONAL FACILITY SHALL SUBMIT TO AN HIV TEST BEFORE THEIR EXPECTED DATE OF DISCHARGE FROM THE FACILITY, AND TO PROVIDE THAT A PERSON WHO TESTS POSITIVE FOR HIV MUST BE PROVIDED COUNSELING RELATING TO LIVING WITH THIS CONDITION AFTER HIS RELEASE FROM CUSTODY.

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

SECTION 1. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24‑13‑180. (A) A person who has been confined in a local or state correctional facility for at least one year and who has not previously tested positive for HIV shall submit to an HIV test between sixty and one hundred twenty days before his expected date of discharge from the facility.

(B) A person tested as provided in subsection (A) must be notified of the results of the test in writing before his discharge. A person testing positive for HIV, and any person who has previously tested positive for this condition, must be provided counseling relating to living with this condition after their release from custody. The Department of Corrections shall promulgate regulations relating to the appropriate counseling that must be provided.”

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

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