**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4445**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Allen and Clyburn

Document Path: l:\council\bills\nbd\11964cm12.docx

Introduced in the House on January 10, 2012

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

Summary: Attendance of funeral services by inmates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/29/2011 House Prefiled

11/29/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 42](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 42](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[11/29/2011](file:///p:\pprever\2011-12\4445_20111129.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO IS CONFINED IN A DEPARTMENT OF CORRECTIONS’ FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS; AND TO AMEND SECTION 24‑3‑210, RELATING TO FURLOUGHS FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

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

SECTION 1. Article 1, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑220. (A) Notwithstanding another provision of law, when the parent or parent substitute, sibling, spouse, child, grandparent, or grandchild of an inmate becomes seriously ill to the point of imminent death or dies, the inmate must be offered the choice to either attend the person’s funeral service or, prior to the person’s death, visit the person in the hospital.

(B) The inmate, or a third party on behalf of the inmate, must present verification of the person’s relationship to the inmate and either the person’s illness or death.

(C) The department shall provide the necessary security and transportation for the inmate. The department also may engage the services of the sheriff of the county in which the inmate is housed to provide the necessary security and transportation for the inmate. The department may collect a reasonable charge for the transportation. The charge may not exceed the actual expense incurred by the department or sheriff. This charge must be collected from a third party on behalf of the inmate or, if no third party pays, through a deduction from the inmate’s trust account.”

SECTION 2. Section 24‑3‑210(A)(5) of the 1976 Code is amended to read:

“(5) visit ~~or attend the funeral of~~ a spouse, child (including stepchild, adopted child, or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person, though not a natural parent, who has acted in the place of a parent), brother, or sister.”

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑