**South Carolina General Assembly**

119th Session, 2011-2012

**S. 795**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Sheheen

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Companion/Similar bill(s): 3895

Introduced in the Senate on April 12, 2011

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

Summary: Validity of appearance bonds

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/12/2011 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\04-12-11.docx))

4/12/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\04-12-11.docx))

1/9/2012 Senate Referred to Subcommittee: Knotts (ch), Massey, Coleman

**VERSIONS OF THIS BILL**

[4/12/2011](file:///p:\pprever\2011-12\795_20110412.docx)

**A** **BILL**

TO AMEND SECTION 17‑15‑20 OF THE 1976 CODE, RELATING TO APPEARANCE BONDS, TO PROVIDE THAT AN APPEARANCE BOND IS VALID FOR A CERTAIN TIME PERIOD IN CIRCUIT AND MAGISTRATES OR MUNICIPAL COURTS UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PROCEDURE TO RELIEVE THE SURETY OF LIABILITY WHEN THE TIME PERIOD HAS RUN.

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

SECTION 1. Section 17‑15‑20 of the 1976 Code is amended to read:

“Section 17‑15‑20. (A) ~~Every~~ An appearance recognizance or appearance bond ~~will~~ must be conditioned on the person charged personally appearing before the court specified to answer the charge or indictment and to do and receive what ~~shall be~~ is enjoined by the court, and not to ~~depart~~ leave the State, and be of good behavior toward all the citizens ~~thereof~~ of the State, or especially toward ~~any~~ a person or persons specified by the court.

(B) Unless a bench warrant is issued, an appearance recognizance or an appearance bond is discharged upon adjudication, a finding of guilt, a differed disposition, or as otherwise provided by law. After a period of three years from the date the bond is executed for a charge triable in circuit court and eighteen months from the date the bond is executed for a charge triable in magistrates or municipal court, the surety may petition the court to be discharged from liability on the appearance bond. In order for the surety to be relieved of liability when the time period has run, the surety must provide sixty days written notice of the surety’s intent to be relieved of liability for the appearance bond to the solicitor, when appropriate, to the respective clerk of court, and to the chief magistrate or municipal court judge with jurisdiction over the offense. If the appropriate court determines the person has substantially complied with his court obligations and the solicitor does not object within the required sixty days by demanding a hearing, the court shall order the appearance bond converted to a personal recognizance bond and the surety relieved of liability.”

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

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