COMMITTEE AMENDMENT ADOPTED

March 14, 2012

**S. 1037**

Introduced by Senators Anderson and Ford

S. Printed 3/14/12--S.

Read the first time January 10, 2012.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 13, TITLE 24 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO HAVE BEEN WRONGFULLY CONVICTED OF AND IMPRISONED FOR A CRIME MAY RECOVER THE MONETARY VALUE OF THE LOSS SUSTAINED THROUGH THE WRONGFUL CONVICTION AND IMPRISONMENT.

Amend Title To Conform

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

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

“Article 22

Compensation for a Wrongful Conviction

Section 24‑13‑2310. (A) The court shall award to a person who has been wrongfully convicted of an offense an amount equal to fifteen thousand dollars for each year or the pro rata amount for the portion of each year of the imprisonment actually served, including any time spent awaiting trial. However, the compensation shall not exceed fifty thousand dollars. The court shall give written notice of its decision to all parties concerned, and the State Treasurer.

(B) The State Treasurer shall pay the amount of the award to the person out of funds appropriated by the General Assembly for this purpose.

(C) If a person is wrongfully convicted by the State of an offense and imprisoned subsequent to the wrongful conviction, and the conviction is reversed or vacated and a final judgment has been rendered, then the person is not eligible for compensation pursuant to this section if the person:

(1) was convicted of any of the acts charged in conjunction with the offense;

(2) served the term of imprisonment concurrently with the sentence for the conviction of another crime; or

(3) is serving a term of imprisonment for the conviction of another crime.

(D) A person awarded compensation pursuant to this section and who is subsequently convicted of a crime is not eligible to receive any unpaid amounts from any compensation authorized by this section.”

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

‑‑‑‑XX‑‑‑‑