COMMITTEE REPORT

March 6, 2012

**S. 1062**

Introduced by Senators Bryant, Verdin, Grooms, Bright, Shoopman and Rose

S. Printed 3/6/12--S.

Read the first time January 10, 2012.

**THE COMMITTEE ON CORRECTIONS AND PENOLOGY**

To whom was referred a Bill (S. 1062) to amend Article 1, Chapter 3, Title 24 of the 1976 Code, relating to the state prison system, by adding Section 24‑3‑83 to prohibit the, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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

“Section 24‑3‑83. (A) As used in this section:

(1) ‘Hormonal therapy’ means the use of hormones to stimulate the development or alteration of a person’s sexual characteristics in order to alter the person’s physical appearance so that the person appears more like the opposite gender.

(2) ‘Sexual reassignment surgery’ means a surgical procedure to alter a person’s physical appearance so that the person appears more like the opposite gender.

(B) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy to the person as long as medically necessary for the health of the person.”

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

Renumber sections to conform.

Amend title to conform.

MICHAEL L. FAIR for Committee.

**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 3, TITLE 24 OF THE 1976 CODE, RELATING TO THE STATE PRISON SYSTEM, BY ADDING SECTION 24‑3‑83 TO PROHIBIT THE DEPARTMENT OF CORRECTIONS FROM USING STATE FUNDS OR STATE RESOURCES TO PROVIDE A PRISONER WITH SEXUAL REASSIGNMENT SURGERY OR HORMONAL THERAPY.

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 24‑3‑83. (A) Definitions:

(1) ‘Sexual reassignment surgery’ means a surgical procedure to alter a person’s physical appearance so that the person appears more like the opposite gender.

(2) ‘Hormonal therapy’ means the use of hormones to stimulate the development or alteration of a person’s sexual characteristics in order to alter the person’s physical appearance so that the person appears more like the opposite gender.

(B) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery or hormonal therapy.”

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

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