**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3042**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on January 8, 2013

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

Summary: Parole violations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 61](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 61](file:///h:\HJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3042_20121211.docx)

**A** **BILL**

TO AMEND SECTION 24‑21‑680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAROLE VIOLATIONS, SO AS TO PROVIDE THAT A MAGISTRATE JUDGE OF THE COUNTY, WHERE A PRISONER CHARGED WITH A PAROLE VIOLATION IS ARRESTED, INSTEAD OF A CIRCUIT COURT JUDGE SHALL SET BOND FOR THE PRISONER.

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

SECTION 1. Section 24‑21‑680 of the 1976 Code is amended to read:

“Section 24‑21‑680. Upon failure of any prisoner released on parole under the provisions of this chapter to do or refrain from doing any of the things set forth and required to be done by and under the terms of his parole, the parole agent must issue a warrant or citation charging the violation of parole, and a final determination must be made by the board as to whether the prisoner’s parole should be revoked and whether he should be required to serve any part of the remaining unserved sentence. But ~~such~~ the prisoner must be eligible to parole thereafter when and if the board thinks such parole would be proper. The board shall be the sole judge as to whether or not a parole has been violated and no appeal therefrom shall be allowed; provided, that any person arrested for violation of terms of parole may be released on bond, for good cause shown, pending final determination of the violation by the Probation, Parole and Pardon Board. No bond shall be granted except by ~~the presiding or resident~~ a magistrate judge of the ~~circuit~~ county wherein the prisoner is arrested, ~~or, if there be no judge within such circuit, by the judge, presiding or resident, in an adjacent circuit,~~ and the judge granting the bond shall determine the amount ~~thereof~~ of the bond.”

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

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