AS PASSED BY THE SENATE

May 1, 2013

**S. 19**

Introduced by Senators Ford and Campsen

S. Printed 5/1/13--S.

Read the first time January 8, 2013.

**A** **BILL**

TO AMEND SECTION 17-15-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE THE COMMISSION OF A SUBSEQUENT VIOLENT CRIME BY A PERSON RELEASED ON BOND IN THE PURVIEW OF THE STATUTE AND TO ADD AN ADDITIONAL PENALTY IF A PERSON COMMITS A GENERAL SESSIONS COURT OFFENSE WHILE ON RELEASE ON BOND.

Amend Title To Conform

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

SECTION 1. Section 17‑15‑55 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) If a person released on bond pursuant to the provisions of this chapter for a serious or most serious offense, as defined in Section 17-25-45, is charged with a serious or most serious offense, as defined in Section 17‑25‑45, while released on bond, the bond hearing for the subsequent serious or most serious offense must be held in the circuit court within thirty days. If the court finds probable cause that the person committed the current offense or that the person is unlikely to comply with any condition of release, a rebuttable presumption arises that no condition will assure the person will not pose a danger to the safety of any other person or the community. If the court finds that certain conditions of release on bond will ensure that the person is unlikely to flee or pose a danger to any other person or the community and the person will abide by the terms of release on bond, the judge shall consider bond in accordance with the provisions of this chapter and set or amend bond accordingly. If the court finds no such conditions will ensure that the person is unlikely to flee or not pose a danger to the community, bond must be revoked.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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