**A** **BILL**

TO AMEND SECTION 17‑25‑322, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTITUTION TO CRIME VICTIMS, SO AS TO CLARIFY THAT UNCLAIMED RESTITUTION FUNDS PROCEDURES APPLY TO BUSINESSES NO LONGER IN EXISTENCE PREVIOUSLY ENTITLED TO THE PAYMENT OF RESTITUTION UNDER THE STATUTE; AND TO AMEND SECTION 17‑22‑140, RELATING TO RESTITUTION PURSUANT TO THE PRETRIAL INTERVENTION PROGRAM TO VICTIMS, SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. Section 17‑25‑322(D) of the 1976 Code is amended to read:

“(D) All restitution funds, excluding the twenty percent collection fee, collected before or after the effective date of this section that remain unclaimed by a crime victim, or a business no longer in existence previously entitled to the payment of restitution ordered pursuant to this section or another provision of law, for more than eighteen months from the day of last payment received must be transferred to the South Carolina Victims’ Compensation Fund, notwithstanding the Uniform Unclaimed Property Act of 1981.”

SECTION 2. Section 17‑22‑140 of the 1976 Code is amended to read:

“Section 17‑22‑140. (A) ~~Prior to~~ Before the completion of the pretrial intervention program the offender shall make restitution, as determined by the solicitor, to the victim, if any.

(B) All restitution funds, excluding the twenty percent collection fee, collected before or after the effective date of this section that remain unclaimed by a crime victim, or a business no longer in existence previously entitled to the payment of restitution ordered pursuant to this section or another provision of law, for more than eighteen months from the day of last payment received must be transferred to the South Carolina Victims’ Compensation Fund, notwithstanding the Uniform Unclaimed Property Act of 1981.”

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

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