**South Carolina General Assembly**

121st Session, 2015-2016

**S. 238**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Allen

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Introduced in the Senate on January 13, 2015

Introduced in the House on March 8, 2016

Last Amended on March 2, 2016

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

Summary: Inmates attending funeral services

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2014 Senate Prefiled

12/10/2014 Senate Referred to Committee on **Corrections and Penology**

1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 147](file:///h:\SJ%20Archive\2015\01-13-15.docx))

1/13/2015 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 147](file:///h:\SJ%20Archive\2015\01-13-15.docx))

2/25/2016 Senate Committee report: Favorable with amendment **Corrections and Penology** ([Senate Journal‑page 9](file:///h:\SJ%20Archive\2016\02-25-16.docx))

2/26/2016 Scrivener's error corrected

3/2/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 14](file:///h:\SJ%20Archive\2016\03-02-16.docx))

3/2/2016 Senate Read second time ([Senate Journal‑page 14](file:///h:\SJ%20Archive\2016\03-02-16.docx))

3/2/2016 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 14](file:///h:\SJ%20Archive\2016\03-02-16.docx))

3/8/2016 Senate Read third time and sent to House ([Senate Journal‑page 13](file:///h:\SJ%20Archive\2016\03-08-16.docx))

3/8/2016 House Introduced and read first time ([House Journal‑page 32](file:///h:\HJ%20Archive\2016\03-08-16.docx))

3/8/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 32](file:///h:\HJ%20Archive\2016\03-08-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=238&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/10/2014](file:///p:\pprever\2015-16\238_20141210.docx)

[2/25/2016](file:///p:\pprever\2015-16\238_20160225.docx)

[2/26/2016](file:///p:\pprever\2015-16\238_20160226.docx)

[3/2/2016](file:///p:\pprever\2015-16\238_20160302.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE AMENDMENT ADOPTED

March 2, 2016

**S. 238**

Introduced by Senator Allen

S. Printed 3/2/16--S.

Read the first time January 13, 2015.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS’ FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED; AND TO AMEND SECTION 24‑3‑210, RELATING TO FURLOUGHS FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

Amend Title To Conform

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 24‑3‑220. (A) Notwithstanding another provision of law, when the parent or parent substitute, sibling, spouse, child, grandparent, or grandchild of an inmate becomes seriously ill to the point of imminent death or dies, and when the department has determined that there is no security risk, an inmate must be offered the choice to either attend the person’s viewing, funeral service, or, prior to the person’s death, visit the person in the hospital. The location of the funeral or hospital visit must be in South Carolina.

(B) The department must verify the person’s relationship to the inmate and either the person’s illness or death.

(C) The department shall provide the necessary security and transportation for the inmate. The department also may engage the services of the sheriff of the county in which the funeral service or hospital visit is located to provide the necessary security and transportation for the inmate. The department or sheriff may collect the actual cost for security and transportation. The charge may not exceed the actual expense incurred by the department or sheriff. This charge must be collected from a third party on behalf of the inmate or, if no third party pays, through a deduction from the inmate’s trust account.”

SECTION 2. Section 24‑3‑210(A)(5) of the 1976 Code is amended to read:

“(5) visit ~~or attend the funeral of~~ a spouse, child (including stepchild, adopted child, or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person, though not a natural parent, who has acted in the place of a parent), brother, or sister.”

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

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