~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 4, 2015

**S. 505**

Introduced by Senators L. Martin, Hembree and Shealy

S. Printed 5/4/15--S.

Read the first time March 4, 2015.

**THE COMMITTEE ON CORRECTIONS AND PENOLOGY**

To whom was referred a Bill (S. 505) to amend Section 24‑21‑440, Code of Laws of South Carolina, 1976, relating to periods of probation, so as to toll the period during periods, etc., respectfully

**REPORT:**

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

MICHAEL L. FAIR for Committee.

**A** **BILL**

TO AMEND SECTION 24‑21‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24‑21‑560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24‑21‑670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

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

SECTION 1. Section 24‑21‑440 of the 1976 Code is amended to read:

“Section 24‑21‑440. The period of probation or suspension of sentence shall not exceed a period of five years and must be determined by the judge of the court and may be continued or extended within the above limit. Any ordered period of probation is tolled during periods of civil commitment.”

SECTION 2. Section 24‑21‑560(A) of the 1976 Code is amended to read:

“(A) Notwithstanding any other provision of law, except in a case in which the death penalty or a term of life imprisonment is imposed, any sentence for a ‘no parole offense’ as defined in Section 24‑13‑100 must include any term of incarceration and completion of a community supervision program operated by the Department of Probation, Parole and Pardon Services. No prisoner who is serving a sentence for a ‘no parole offense’ is eligible to participate in a community supervision program until he has served the minimum period of incarceration as set forth in Section 24‑13‑150. Nothing in this section may be construed to allow a prisoner convicted of murder or a prisoner prohibited from early release, discharge, or work release by any other provision of law to be eligible for early release, discharge, or work release. Any ordered period of community supervision is tolled during periods of civil commitment.”

SECTION 3. Section 24‑21‑670 of the 1976 Code is amended to read:

“Section 24‑21‑670. Any prisoner who may be paroled under authority of this chapter shall continue on parole until the expiration of the maximum term or terms specified in his sentence without deduction of such allowance for good conduct as may be provided for by law. Any ordered period of parole is tolled during periods of civil commitment.”

SECTION 4. This act takes effect upon approval by the Governor.

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