**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑7‑1555 SO AS TO REQUIRE A RECORD OF TESTIMONY AND OTHER PROCEEDINGS OF THE COUNTY GRAND JURY, THE FURNISHING OF A COPY TO THE DEFENDANT, AND PROVIDE THAT THE TRANSCRIPT, REPORTER’S NOTES, RECORD, AND ALL OTHER DOCUMENTS REMAIN IN THE CUSTODY AND CONTROL OF THE COUNTY CLERK OF COURT.

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

SECTION 1. Article 13, Chapter 7, Title 14 of the 1976 Code is amended by adding:

“Section 14‑7‑1555. A county grand jury convened pursuant to the provisions of this article shall have a record, either stenographically or by use of an electronic recording device, of all proceedings except when a grand jury is deliberating or voting. Subject to the limitations of Rule 5 of the South Carolina Rules of Criminal Procedure, a defendant has the right to review and to reproduce the stenographically or electronically recorded materials of the presentment and testimony pertaining to his indictment. Transcripts of the recorded testimony or proceedings must be made when requested by the Attorney General, the solicitor, or their designees. Subject to the limitations of Rule 5 of the South Carolina Rules of Criminal Procedure, a copy of the transcript or of the recorded testimony or proceedings requested by the Attorney General, the solicitor, or their designees must be provided to the defendant by the court reporter or clerk of court, upon request, at the transcript or recording copy rate established by the South Carolina Court Administration. An unintentional failure of any recording to reproduce all or any portion of the testimony of the proceedings does not affect the validity of the prosecution. The recording or reporter’s notes or any transcript prepared therefrom and all books, papers, records, correspondence, or other documents produced before a county grand jury must remain in the custody and control of the county clerk of court or his designee unless otherwise ordered by the court in a particular case.”

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

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