**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3140**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and Hosey

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Introduced in the House on January 12, 2021

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

Summary: Inmate legal counsel access

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 86](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 86](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3140&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3140_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑980 SO AS TO PROVIDE THAT AN INMATE CONFINED TO A STATE, COUNTY, OR MUNICIPAL DETENTION FACILITY SHALL NOT BE PROHIBITED ACCESS TO LEGAL COUNSEL WHEN REQUESTED UNDER CERTAIN CIRCUMSTANCES AND TO DEFINE THE TERM “IN‑PERSON MEETING”.

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

SECTION 1. Article 9, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑980. (A) An inmate confined in a state, county, or municipal detention facility shall not be prohibited access to legal counsel when requested, provided such access does not jeopardize the security of the detention facility or prohibit the normal operations of the detention facility. In the event an in‑person meeting is requested between an inmate and legal counsel, the state, county, or municipal detention facility shall make a reasonable effort to accommodate the request, provided the meeting does not jeopardize the security of the detention facility or prohibit the normal operations of the detention facility.

(B) For the purposes of this section, an ‘in‑person meeting’ is a meeting that occurs when an inmate and legal counsel have been placed in the same room or general area with no continuous partition. The state, county, or municipal detention facility may provide general visual observation of the area in which the in‑person meeting occurs, but shall not provide audio or video supervision of the area so as to uphold the privileged nature of the inmate’s communications with legal counsel.”

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

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