**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑23‑168 SO AS TO PROVIDE THAT A COURTESY SUMMONS MUST BE ISSUED WHEN CHARGES ARE DISMISSED OR NOL PROSSED AFTER A PRELIMINARY HEARING WHEN A DEFENDANT IS SUBSEQUENTLY INDICTED BY A LOCAL OR STATE GRAND JURY FOR THE ORIGINAL OR SUBSTANTIALLY SIMILAR CHARGE OR CHARGES.

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

SECTION 1. Chapter 23, Title 17 of the 1976 Code is amended by adding:

“Section 17‑23‑168. After a preliminary hearing, if the charge or charges against a defendant are dismissed or nol prossed and the defendant is subsequently indicted by a local or state grand jury on the original or substantially similar charge or charges and an arrest warrant is sought, the court must issue a courtesy summons.”

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

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