~~Indicates Matter Stricken~~

Indicates New Matter

POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE WITH AMENDMENT

March 25, 2021

**S. 351**

Introduced by Senator McLeod

S. Printed 3/25/21--S.

Read the first time January 12, 2021.

**THE COMMITTEE ON CORRECTIONS AND PENOLOGY**

To whom was referred a Bill (S. 351) to amend Section 24-3-180 of the 1976 Code, relating to providing transportation and clothes to a discharged inmate, etc., respectfully

**REPORT:**

Has polled the Bill out with amendment, to wit:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 24-3-180 of the 1976 Code is amended to read:

“Section 24-3-180. (A) Whenever an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) During the discharge of an inmate from a state prison, the Department of Corrections shall provide written notice to the inmate that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) upon the completion of his sentence, including probation or parole, together with instructions on how to register to vote.”

SECTION 2. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24-13-190. If a person convicted of a felony or offenses against the election laws has completed his sentence, including probation or parole, then a detention facility, as defined by Section 24-13-180, must provide notice to the person that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote.”

SECTION 3. Section 24-21-280 of the 1976 Code is amended by adding the following appropriately lettered subsection at the end:

“( ) If a person convicted of a felony or offenses against the election laws, by completing supervision, has completed all terms of his sentence, then the agent must provide notice to the person that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote. An agent may fulfill this requirement by providing the information to the person during the intake process. If the person’s supervision is completed through the granting of a pardon pursuant to Section 24-21-950(A)(3), the agent may fulfill this requirement by including the information with the pardon certificate.”

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

Renumber sections to conform.

Amend title to conform.

**A** **BILL**

TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON’S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

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

SECTION 1. Section 24-3-180 of the 1976 Code is amended to read:

“Section 24-3-180. (A) Whenever an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) During the discharge of an inmate from a state prison, the Department of Corrections shall provide written notice to the inmate that he will be eligible to register to vote pursuant to Section 7-5-120(B)(3) upon the completion of his sentence, including probation or parole, together with instructions of how to register to vote.”

SECTION 2. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24-13-190. If a person convicted of a felony or offenses against the election laws has completed his sentence, including probation or parole, then a detention facility, as defined by Section 24-13-180, must provide notice to the person that he is eligible to register to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote.”

SECTION 3. Article 5, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24-21-495. If a person convicted of a felony or offenses against the election laws has, by completing probation, completed all terms of his sentence, then his probation agent must provide notice to the person that he is eligible to register to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote.”

SECTION 4. Article 7, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24-21-720. If a person convicted of a felony or offenses against the election laws has, by being released on parole, completed all terms of his prison sentence, then the board must provide written notice to the person that he is eligible to register to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote.”

SECTION 5. Section 24-21-930 of the 1976 Code is amended to read:

“Section 24-21-930. An order of pardon must be signed by at least two‑thirds of the members of the board. Upon the issue of the order by the board, the director, or one lawfully acting for him, must issue a pardon order which provides for the restoration of the pardon applicant's civil rights. The pardon order must explicitly state that these civil rights include the right to vote. Instructions about how to register to vote must accompany the pardon order.”

SECTION 6. This act takes effect upon approval by the Governor.

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