**A** **BILL**

TO AMEND SECTION 43-26-90 OF THE 1976 CODE, RELATING TO BUILDINGS NOT SUBJECT TO CERTAIN PROVISIONS CONCERNING THE OPERATION OF VENDING FACILITIES BY BLIND PERSONS, TO PROVIDE THAT LOCAL DETENTION FACILITIES ARE NOT SUBJECT TO THOSE PROVISIONS, AND TO PROVIDE EXCEPTIONS; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Section 43-26-90 of the 1976 Code is amended to read:

“Section 43-26-90. (A) This chapter does not apply to hospitals~~,~~; four‑year institutions of higher learning and their branches~~,~~; public elementary and secondary schools~~,~~; technical education institutions~~,~~; the South Carolina State Museum~~,~~; property under the Patriots Point Development Authority jurisdiction~~,~~; facilities devoted primarily to athletics~~,~~; ~~or to~~ state, municipal, county, or civic center auditoriums and assembly halls; or local detention facilities, except as provided pursuant to subsection (B). As many as two coin operated vending machines may be placed in buildings on the public property if the machines are not located in a building where there is a vending facility operated by the commission.

(B) This chapter does not apply to any commissary services provided in local detention facilities. The commission may operate vending facilities in publicly accessible areas of local detention facilities or within secure areas of local detention facilities.”

SECTION 2. Section 43-26-10 of the 1976 Code is amended by adding an appropriately lettered new item to read:

“( ) ‘Commissary services’ means a store, purchasing location, or purchasing service within a local detention facility established solely for inmates, from which inmates can purchase products, including those items enumerated in Section 43‑26‑60.”

SECTION 3. Pursuant to Section 43-26-90, as amended by this act, the South Carolina Commission for the Blind may operate vending facilities in publicly accessible areas of local detention facilities or within secure areas of local detention facilities that were operating on the effective date of this act.

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

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