**South Carolina General Assembly**

125th Session, 2023-2024

**S. 61**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Malloy

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: Prisoners Calculation of Time Served

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2022 Senate Prefiled

 11/30/2022 Senate Referred to Committee on **Corrections and Penology**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 41)

 1/10/2023 Senate Referred to Committee on **Corrections and Penology** (Senate Journal‑page 41)

 7/27/2023 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=61&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/61_20221130.docx)

[07/27/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/61_20230727.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-13-40, RELATING TO THE COMPUTATION OF TIME SERVED BY PRISONERS, SO AS TO PROVIDE THAT A PRISONER MUST BE GIVEN TWO DAYS OF CREDIT FOR EVERY ONE DAY SERVED IN CUSTODY PRIOR TO TRIAL AND SENTENCING.

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

SECTION 1. Section 24-13-40 of the S.C. Code is amended to read:

 Section 24-13-40. The computation of the time served by prisoners under sentences imposed by the courts of this State must be calculated from the date of the imposition of the sentence. However, when (a) a prisoner shall have given notice of intention to appeal, (b) the commencement of the service of the sentence follows the revocation of probation, or (c) the court shall have designated a specific time for the commencement of the service of the sentence, the computation of the time served must be calculated from the date of the commencement of the service of the sentence. In every case in computing the time served by a prisoner, full credit for two days against the sentence must be given for every one day time served prior to trial and sentencing, and credit may be given for any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense.

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

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