**South Carolina General Assembly**

123rd Session, 2019-2020

**S. 218**

**STATUS INFORMATION**

General Bill

Sponsors: Senator M.B. Matthews

Document Path: l:\council\bills\gt\5583cm19.docx

Companion/Similar bill(s): 333

Introduced in the Senate on January 8, 2019

Currently residing in the Senate Committee on **Corrections and Penology**

Summary: Probationer community service supervisors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/12/2018 Senate Prefiled

12/12/2018 Senate Referred to Committee on **Corrections and Penology**

1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 138](file:///h:\sj\20190108.docx))

1/8/2019 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 138](file:///h:\sj\20190108.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=218&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/12/2018](file:///p:\pprever\2019-20\218_20181212.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑21‑435 SO AS TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN CERTAIN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF THESE PERSONS, AND TO PROVIDE THAT IMMUNITY IS NOT GRANTED TO CERTAIN DRIVERS OR MOTORISTS, WHO BY THEIR NEGLIGENCE, INJURES A PROBATIONER ON COMMUNITY SERVICE.

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

SECTION 1. Article 5, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24‑21‑435. (A) Probation officers, court personnel, county and municipal personnel, public officials, and private volunteers who participate in community service programs in which a probationer is completing community service as a condition of probation pursuant to Section 24‑21‑430 are not liable for civil damages, unless an injury or damages result from the gross negligence, recklessness, or intentional misconduct of the person.

(B) Nothing in this section shall be construed as granting immunity to a driver transporting a probationer to community service or a motorist who, by his negligence, injures a probationer on community service.”

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

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