**South Carolina General Assembly**

120th Session, 2013-2014

**S. 43**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campsen

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Introduced in the Senate on January 8, 2013

Currently residing in the Senate Committee on **Judiciary**

Summary: Probation for defendant guilty of violent act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2012 Senate Prefiled

12/13/2012 Senate Referred to Committee on **Judiciary**

1/8/2013 Senate Introduced and read first time ([Senate Journal‑page 47](file:///h:\SJ%20Archive\2013\01-08-13.docx))

1/8/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 47](file:///h:\SJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/13/2012](file:///p:\pprever\2013-14\43_20121213.docx)

**A** **BILL**

TO AMEND SECTION 24‑21‑410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF A DEFENDANT ON PROBATION, TO PROVIDE THAT IF THE DEFENDANT IS CONVICTED OF OR PLEADS GUILTY TO AN OFFENSE INVOLVING A VIOLENT ACT AGAINST A PERSON OR THE TAKING OF PROPERTY FROM A PERSON, AND THE DEFENDANT IS PLACED ON PROBATION, THE DEFENDANT MAY NOT BE PLACED ON PROBATION FOR ANY SUBSEQUENT OFFENSE.

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

SECTION 1. Section 24‑21‑410 of the 1976 Code is amended to read:

“Section 24‑21‑410. (A) After conviction or plea for any offense, except a crime punishable by death, or life imprisonment, or as provided for in subsection (B), the judge of a court of record with criminal jurisdiction at the time of sentence may suspend the imposition or the execution of a sentence and place the defendant on probation or may impose a fine and also place the defendant on probation. Probation is a form of clemency.

(B) If the defendant is convicted of or pleads guilty to an offense involving a violent act against a person or the taking of property from a person, and the defendant is placed on probation, the defendant may not be placed on probation for any subsequent offense.”

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

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