**South Carolina General Assembly**

121st Session, 2015-2016

**A201, R216, S338**

**STATUS INFORMATION**

General Bill

Sponsors: Senators S. Martin and Bryant

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Introduced in the Senate on January 15, 2015

Introduced in the House on May 12, 2015

Last Amended on May 4, 2016

Passed by the General Assembly on May 24, 2016

Governor's Action: June 3, 2016, Signed

Summary: Prisoners

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/15/2015 Senate Introduced and read first time ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C01-15-15.docx))

 1/15/2015 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C01-15-15.docx))

 5/4/2015 Senate Committee report: Favorable **Banking and Insurance** ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C05-04-15.docx))

 5/5/2015 Senate Read second time ([Senate Journal‑page 8](file:///h%3A%5CSJ%20Archive%5C2015%5C05-05-15.docx))

 5/5/2015 Senate Roll call Ayes‑37 Nays‑0 ([Senate Journal‑page 8](file:///h%3A%5CSJ%20Archive%5C2015%5C05-05-15.docx))

 5/12/2015 Senate Read third time and sent to House ([Senate Journal‑page 17](file:///h%3A%5CSJ%20Archive%5C2015%5C05-12-15.docx))

 5/12/2015 House Introduced and read first time ([House Journal‑page 47](file:///h%3A%5CHJ%20Archive%5C2015%5C05-12-15.docx))

 5/12/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 47](file:///h%3A%5CHJ%20Archive%5C2015%5C05-12-15.docx))

 4/20/2016 House Committee report: Favorable **Judiciary** ([House Journal‑page 358](file:///h%3A%5CHJ%20Archive%5C2016%5C04-20-16.docx))

 4/26/2016 House Debate adjourned until Tues., 5‑3‑16 ([House Journal‑page 147](file:///h%3A%5CHJ%20Archive%5C2016%5C04-26-16.docx))

 5/3/2016 House Requests for debate‑Rep(s). Robinson‑Simpson, Norman, Rutherford, Tallon, Dilliards, Bedingfield, Gilliard, Bamberg, Ott, Kriby, Anthony, Douglas, Knight, Jefferson, MS McLeod, Yow, Fry, HA Crawford ([House Journal‑page 17](file:///h%3A%5CHJ%20Archive%5C2016%5C05-03-16.docx))

 5/4/2016 House Amended ([House Journal‑page 26](file:///h%3A%5CHJ%20Archive%5C2016%5C05-04-16.docx))

 5/4/2016 House Read second time ([House Journal‑page 26](file:///h%3A%5CHJ%20Archive%5C2016%5C05-04-16.docx))

 5/4/2016 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 27](file:///h%3A%5CHJ%20Archive%5C2016%5C05-04-16.docx))

 5/5/2016 House Read third time and returned to Senate with amendments ([House Journal‑page 146](file:///h%3A%5CHJ%20Archive%5C2016%5C05-05-16.docx))

 5/19/2016 Scrivener's error corrected

 5/24/2016 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 107](file:///h%3A%5CSJ%20Archive%5C2016%5C05-24-16.docx))

 5/24/2016 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 107](file:///h%3A%5CSJ%20Archive%5C2016%5C05-24-16.docx))

 6/2/2016 Ratified R 216

 6/3/2016 Signed By Governor

 6/9/2016 Effective date 06/03/16

 6/9/2016 Act No. 201

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=338&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/15/2015](file:///p%3A%5Cpprever%5C2015-16%5C338_20150115.docx)

[5/4/2015](file:///p%3A%5Cpprever%5C2015-16%5C338_20150504.docx)

[4/20/2016](file:///p%3A%5Cpprever%5C2015-16%5C338_20160420.docx)

[5/4/2016](file:///p%3A%5Cpprever%5C2015-16%5C338_20160504.docx)

[5/19/2016](file:///p%3A%5Cpprever%5C2015-16%5C338_20160519.docx)

(A201, R216, S338)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑13‑180 SO AS TO PROVIDE THAT CERTAIN PUBLIC, PRIVATE, OR NONPROFIT ENTITIES WHICH ARE ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF THEIR PROGRAMS PROVIDE RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITIES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT PUBLIC HEARINGS REGARDING THE PROGRAMS AND THE LOCATIONS OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITIES WHERE THEY WILL BE LOCATED, TO PROVIDE THAT THESE HEARINGS ARE FOR INFORMATIONAL PURPOSES ONLY AND DO NOT BIND THE DECISION MAKING AUTHORITY OF THE ENTITY, AND TO PROVIDE THAT THE PROVISIONS CONTAINED IN THIS SECTION MUST BE MET BEFORE A FACILITY MAY BE OPENED.**

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

**Paroled inmate rehabilitation facilities, public hearings**

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

 “Section 24‑13‑180. (A) Any public, private, or nonprofit entity whose primary purpose is in helping to rehabilitate and reintroduce into the community paroled inmates and which as part of its program provides or furnishes residential housing in the community to these parolees on either an individual or communal basis must comply with the following provisions of this section in addition to all other requirements of law:

 (1) The entity, at least sixty days before locating any parolees in any type of residential facility, including manufactured homes, must publish a notice in a newspaper of general circulation in the community giving the date, time, and location of the public hearing, and the address of where the residential facility will be located and post a conspicuous notice at the proposed location. A separate notice is required each time such a facility is to be opened.

 (2) A public hearing must be conducted by the entity at least thirty days before the first residential facility opens in the community where all residents of the community must be given an opportunity to comment on the program and on the location of any or all of the proposed facilities which have been determined by the entity as of the date of the public hearing. The hearing is for informational purposes only and does not bind the decision‑making authority of the entity. The entity solely is responsible for organizing and conducting the hearing. A separate public hearing is required each time a facility is to be opened if more than ninety days has transpired since the last public hearing.

 (B) The Department of Probation, Parole and Pardon Services and its staff members are exempt from the provisions of this section. Family members or other persons providing housing to a parolee, but not operating an on‑going program targeting the reintegration of parolees, are exempt from the provisions of this section.

 (C) This section only applies to a county, incorporated municipality, or town where there are no zoning requirements.

 (D) The provisions of this section must be complied with before a facility may be opened after the effective date of this section.”

**Time effective**

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

Ratified the 2nd day of June, 2016.

Approved the 3rd day of June, 2016.

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