**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3829**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. G.R. Smith

Document Path: l:\council\bills\cc\15075vr17.docx

Introduced in the House on February 22, 2017

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

Summary: Fitness to stand trial

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/22/2017 House Introduced and read first time ([House Journal‑page 44](file:///h:\hj\20170222.docx))

2/22/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 44](file:///h:\hj\20170222.docx))

3/22/2017 House Member(s) request name removed as sponsor: Clary

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3829&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/22/2017](file:///p:\pprever\2017-18\3829_20170222.docx)

**A** **BILL**

TO AMEND SECTION 44-23-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO RESTORATION OF A PERSON’S COMPETENCY TO STAND TRIAL, SO AS TO EXTEND THE TIMEFRAME FOR RESTORING A PERSON’S COMPETENCY TO SIX MONTHS.

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

SECTION 1. Section 44‑23‑430(3) of the 1976 Code, as last amended by Act 400 of 2006, is further amended to read:

“(3) the person is unfit to stand trial but likely to become fit in the foreseeable future, the court shall order him hospitalized up to an additional ~~sixty days~~ six months. If the person is found to be unfit at the conclusion of the additional period of treatment, the solicitor responsible for the criminal prosecution shall initiate judicial admission proceedings pursuant to Sections 44‑17‑510 through 44‑17‑610 or Section 44‑20‑450 within fourteen days, excluding Saturdays, Sundays, and holidays, during which time the person shall remain hospitalized.”

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

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