**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3782**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

Document Path: l:\council\bills\gt\6002cm21.docx

Introduced in the House on February 2, 2021

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

Summary: Test for marijuana may not be performed during urinalysis or blood test on probationer

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/2/2021 House Introduced and read first time ([House Journal‑page 7](file:///h:\hj\20210202.docx))

2/2/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 7](file:///h:\hj\20210202.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3782&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/2/2021](file:///p:\pprever\2021-22\3782_20210202.docx)

**A** **BILL**

TO AMEND SECTION 24‑21‑430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONDITIONS OF PROBATION, SO AS TO PROVIDE A TEST FOR THE PRESENCE OF MARIJUANA MAY NOT BE PERFORMED DURING A URINALYSIS OR BLOOD TEST PERFORMED ON A PROBATIONER.

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

SECTION 1. The fourth unnumbered paragraph of Section 24‑21‑430 of the 1976 Code is amended to read:

“The probationer shall:

(1) refrain from the violations of any state or federal penal laws;

(2) avoid injurious or vicious habits;

(3) avoid persons or places of disreputable or harmful character;

(4) permit the probation agent to visit at his home or elsewhere;

(5) work faithfully at suitable employment as far as possible;

(6) pay a fine in one or several sums as directed by the court;

(7) perform public service work as directed by the court;

(8) submit to a urinalysis, ~~or a~~ blood test, or both upon request of the probation agent. However, a test for the presence of marijuana may not be performed during a urinalysis or blood test;

(9) submit to curfew restrictions;

(10) submit to house arrest which is confinement in a residence for a period of twenty‑four hours a day, with only those exceptions as the court may expressly grant in its discretion;

(11) submit to intensive surveillance which may include surveillance by electronic means;

(12) support his dependents; and

(13) follow the probation agent’s instructions and advice regarding recreational and social activities.”

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

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