**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4890**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Matthews

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Introduced in the House on February 1, 2022

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

Summary: Exonerated inmates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/1/2022 House Introduced and read first time ([House Journal‑page 11](file:///h:\hj\20220201.docx))

2/1/2022 House Referred to Committee on **Judiciary** ([House Journal‑page 11](file:///h:\hj\20220201.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4890&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/1/2022](file:///p:\pprever\2021-22\4890_20220201.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 24‑3‑185 AND 24‑3‑187 SO AS TO PROVIDE THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF MOTOR VEHICLES SHALL ENSURE ALL ELIGIBLE INMATES RELEASED FROM A STATE PRISON POSSESS A VALID SPECIAL IDENTIFICATION CARD, PROVIDE THE DEPARTMENT OF CORRECTIONS SHALL ASSIST A PERSON EXONERATED OF A CONVICTION FOR WHICH HE IS SERVING A PRISON SENTENCE WITH CERTAIN TRANSITIONAL SERVICES, PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MUST WAIVE ITS FEE FOR A DRIVER’S LICENSE OR A SPECIAL IDENTIFICATION CARD UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE THE TERM “EXONERATED”.

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

SECTION 1. Article 1, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑185. (A) The Department of Corrections and the Department of Motor Vehicles shall ensure that all eligible inmates released from a state prison possess a valid special identification card as contained in Section 56‑1‑3350.

(B) As contained in this section, ‘eligible inmate’ means an inmate who:

(1) previously has held a South Carolina driver’s license or special identification card;

(2) has a usable photograph on file with the Department of Motor Vehicles that is not more than ten years old;

(3) has no outstanding fee due for issuance of a previous special identification card; and

(4) has provided, and the Department of Motor Vehicles has verified, the inmate’s:

(a) full name;

(b) date of birth;

(c) social security number; and

(d) legal presence in the United States.

Section 24‑3‑187. (A) The Department of Corrections shall assist a person who is exonerated of a conviction for which he is serving a state prison sentence at the time of exoneration with transitional services that include housing assistance, job training, and mental health services, as applicable. The extent of the services must be determined by the department and must be provided for no less than six months and no more than one year from the date of release.

(B) The Department of Motor Vehicles shall not charge a fee for an original, renewal, or replacement driver’s license or special identification card issued to a person who has been exonerated and released from a state prison within the previous six months. The Department of Corrections shall provide the person documents that must be presented to the Department of Motor Vehicles to qualify for this benefit.

(C) As contained in this section, ‘exonerated’ means the person has been convicted and subsequently:

(1) a writ of habeas corpus concerning the person was granted on the basis that the evidence points to his innocence;

(2) the person’s conviction was reversed on appeal on the basis of insufficient evidence; or

(3) the person was granted a pardon on the basis that he was innocent.”

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

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