**South Carolina General Assembly**

126th Session, 2025-2026

**S. 267**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Garrett, Reichenbach, Zell, Goldfinch, Leber, Jackson and Young

Companion/Similar bill(s): 308, 3852

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Introduced in the Senate on January 28, 2025

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

Summary: Duties of the AG

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/28/2025 Senate Introduced and read first time ([Senate Journal‑page 7](h:\sj\20250128.docx))

1/28/2025 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](h:\sj\20250128.docx))

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**VERSIONS OF THIS BILL**

[01/28/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/267_20250128.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1‑7‑920, RELATING TO COMMISSION MEMBERSHIP, SO AS TO RECONFIGURE THE MEMBERSHIP OF THE COMMISSION AND TO ADD THE ATTORNEY GENERAL AS A NON‑VOTING ADVISORY MEMBER; BY AMENDING SECTION 1‑7‑940, RELATING TO DUTIES, SO AS TO CLARIFY THE RESPONSIBILITIES OF THE COMMISSION; AND BY AMENDING SECTION 24‑3‑550, RELATING TO WITNESSES AT A STATE EXECUTION, SO AS TO ADD THE ATTORNEY GENERAL OR HIS DESIGNEE TO THOSE WHO MAY BE PRESENT AT A STATE EXECUTION.

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

SECTION 1. Section 1‑7‑920 of the S.C. Code is amended to read:

Section 1‑7‑920. The commission is composed of the following persons for terms as indicated:

(1) five judicial circuit solicitors appointed by the Governor for a term of four years. If a solicitor appointed to the commission is not reelected, the vacancy must be filled pursuant to the provisions of Section 1‑7‑930; and

(2) seven non‑voting advisory members to include:

(1)(a) the Chairmen of the Senate and House Judiciary Committees for the terms for which they are elected or their legislative designees;

(b) the Attorney General for the term for which he is elected;

(2)(c) the Chief of the South Carolina Law Enforcement Division for the term for which he is appointed;

(3)(d) the Director of the Department of Public Safety shall serve during the term for which he is appointed;

(4)(e) a director of a Judicial Circuit Pretrial Intervention Program appointed by the Governor for a term of two years; and

(5)(f) a Judicial Circuit Victim‑Witness Assistance Advocate appointed by the Governor for a term of two years;.

(6) five judicial circuit solicitors appointed by the Governor for a term of four years. However, upon initial appointment, the Governor shall select one for a two‑year term, two for a three‑year term, and two for a four‑year term. If a solicitor appointed to the commission is not re‑elected, a vacancy occurs and it must be filled pursuant to the provisions of Section 1‑7‑930.

SECTION 2. Section 1‑7‑940 of the S.C. Code is amended to read:

Section 1‑7‑940. (A) The commission has the following dutiesshall:

(1) coordinate all administrative functions of the sixteen circuit solicitors’ offices of the solicitors and any affiliate services operating in conjunction with the solicitors' offices;

(2) submit the budgets of the circuit solicitors and their affiliate services to the General Assembly; and

(3) encourage and develop legal education programs and training programs for the sixteen circuit solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this Statefunctions of the sixteen circuit solicitors’ offices, and act as a clearinghouse and distribution source for publications involving the sixteen circuit solicitors and their affiliate services, and provide legal updates to the sixteen circuit solicitors on matters of law affecting the prosecution of cases in this State;.

(4) provide blank indictments for the circuit solicitors.

(B) Nothing in this section may be construed to displace or otherwise affect the functions and responsibilities of the State Victim/Witness Assistance Program as established in Section 16‑3‑1410.

SECTION 3. Section 24‑3‑550 of the S.C. Code is amended to read:

Section 24‑3‑550. (A) To carry out an execution properly, the executioner and necessary staff must be present at the execution. In addition, the following persons may be present:

(1) three representatives, approved by the director, of the family of a victim of the crime for which a death penalty was imposed, provided that, if there is more than one victim, the director may reduce the number of family representatives to one representative for each victim's family; provided further, that, if there are more than two victims, the director may restrict the total number of victims' representatives present in accordance with the space limitations of the Capital Punishment Facility;

(2) the solicitor, or an assistant solicitor or former solicitor designated by the solicitor, for the county where the offense occurred;

(3) a group of not more than three representatives of the South Carolina media, one of whom must represent the dominant wire service, one of whom must represent the print media, and one of whom must represent the electronic news media;

(4) the chief law enforcement officer, or an officer designated by the chief, from the law enforcement agency that had original jurisdiction in the case; and

(5) the Attorney General or his designee; and

(5)(6) the counsel for the inmate and a religious leader. However, the inmate may substitute one person from his immediate family for either his counsel or a religious leader, or two persons from his immediate family for both his counsel and a religious leader. For purposes of this item, “immediate family” means those persons eighteen years of age or older who are related to the inmate by blood, adoption, or marriage within the second degree of consanguinity.

(B) Other than those persons specified in subsection (A), no person is authorized to witness an execution.

(C) The department shall establish internal policies to govern the selection of media representatives.

(D) Witnesses authorized or approved pursuant to this section shall not possess telephonic equipment, cameras, or recording devices in the Capital Punishment Facility during an execution.

(E) For security purposes, the director may exclude any person who is authorized or approved pursuant to this section from the Capital Punishment Facility.

SECTION 4. This act takes effect upon approval by the Governor.

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