**South Carolina General Assembly**

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**H. 3525**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.E. Johnson and Spann-Wilder

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Currently residing in the House

Summary: Victims' Services and Compensation

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

 1/14/2025 House Introduced and read first time (House Journal‑page 233)

 1/14/2025 House Referred to Committee on **Judiciary** (House Journal‑page 233)

 2/5/2025 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3525_20241205.docx)

[02/05/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3525_20250205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14‑1‑211.5, RELATING TO TRAINING AND TECHNICAL ASSISTANCE FOR MUNICIPALITIES AND COUNTIES REGARDING CRIME VICTIM FUNDS, SO AS TO CHANGE A REFERENCE FROM THE DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS TO THE DEPARTMENT OF CRIME VICTIM COMPENSATION; BY AMENDING SECTION 16‑3‑1200, RELATING TO COMPENSATION OF CRIME VICTIMS AND CONDUCT OF A VICTIM OR INTERVENOR CONTRIBUTING TO INFLICTION OF INJURY, SO AS TO UPDATE A REFERENCE TO THE DEFINITION OF “INTERVENOR”; by amending section 16-3-1420, relating to definitions for purposes of the article on crime victim services training, Provider certification, and statistical analysis, so as to remove an unnecessary definition of “witness”; BY AMENDING SECTION 16‑3‑1430, RELATING TO VICTIM ASSISTANCE SERVICES, SO AS TO REMOVE REFERENCES TO SPOUSE ABUSE AND REFERENCE DOMESTIC VIOLENCE AND UPDATE THE STATUTE TO REFLECT VICTIM SERVICES, TO REPLACE REPRESENTATIVES OF THE STATE OFFICE OF VICTIM ASSISTANCE WITH REPRESENTATIVES APPOINTED BY THE CHAIR OF THE VICTIM SERVICES COORDINATING COUNCIL, AND TO MAKE OTHER TECHNICAL CHANGES; BY AMENDING SECTION 16‑3‑1510, RELATING TO DEFINITIONS FOR PURPOSES OF VICTIM AND WITNESS SERVICES, SO AS TO REVISE THE DEFINITION OF “CRIMINAL OFFENSE”; AND BY AMENDING SECTION 17‑25‑45, RELATING TO LIFE SENTENCES FOR PERSONS CONVICTED OF CERTAIN CRIMES AND THE LIST OF “MOST SERIOUS OFFENSE,” SO AS TO DELETE AN OBSOLETE REFERENCE.

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

SECTION 1. Section 14‑1‑211.5 of the S.C. Code is amended to read:

 Section 14‑1‑211.5. The Department of Crime Victim Assistance GrantsCompensation shall offer training and technical assistance to each municipality and county annually on the acceptable use of both priority one and priority two funds and funds available for competitive bid.

SECTION 2. Section 16‑3‑1200 of the S.C. Code is amended to read:

 Section 16‑3‑1200. In determining the amount of an award, the Deputy Director, the Board, or its panel shall determine whether because of his conduct the victim or intervenor of such crime contributed to the infliction of his injury, and the Deputy Director, the Board, or its panel may reduce the amount of the award or reject the claim altogether in accordance with such determination; provided, however,

the Deputy Director, the Board, or its panel may disregard for this purpose the contribution of an intervenor for his own injury or death where the record shows that the contribution was attributable to efforts by the intervenor as set forthprovided in subsection (8) of §Section 16‑3‑1110(9).

SECTION 3. Section 16‑3‑1420 of the S.C. Code is amended to read:

 Section 16‑3‑1420. For purposes of this article:,

 (1) “Victimvictim service provider” means a person:

 (a) who is employed by a local government or state agency and whose job duties involve providing victim assistance as mandated by South Carolina law; or

 (b) whose job duties involve providing direct services to victims and who is employed by an organization that is incorporated in South Carolina, holds a certificate of authority in South Carolina, or is registered as a charitable organization in South Carolina, and the organization’s mission is victim assistance or advocacy and the organization is privately funded or receives funds from federal, state, or local governments to provide services to victims.

 “Victim service provider” does not include a municipal court judge, magistrates court judge, circuit court judge, special circuit court judge, or family court judge.

 (2) “Witness” means a person who has been or is expected to be summoned to testify for the prosecution or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not an action or proceeding is commenced.

SECTION 4.A. Section 16‑3‑1430(A) of the S.C. Code is amended to read:

 (A) The Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis, in collaboration with the Department of Crime Victim Compensation, is authorized to provide the following victim assistance services, contingent upon the availability of funds in the Victim Compensation Fund:

 (1) provide information, training, and technical assistance to state and local agencies and groups involved in victim and domestic violence assistance, such as the Attorney General’s Office, the solicitors’ offices, law enforcement agencies, judges, hospital staff, rape crisis centers, and spouse abusedomestic violence shelters;

 (2) provide recommendations to the Governor and General Assembly on needed legislation and services for victims;

 (3) serve as a clearinghouse of victim information;

 (4) develop ongoing public awareness and programs to assist victims, such as newsletters, brochures, television and radio spots and programs, and news articles;

 (5) provide staff support for a Victim Services Coordinating Council representative of all agencies and groups involved in victim and domestic violence services to improve coordination efforts, suggest policy and procedural improvements to those agencies and groups as needed, and recommend needed statutory changes to the General Assembly; and

 (6) coordinate the development and implementation of policy and guidelines for the treatment of victims with appropriate agencies.

B. Section 16‑3‑1430(B)(6) of the S.C. Code is amended to read:

 (6) the deputy directors of the three departments and the ombudsman under the Office of the Attorney General, South Carolina Crime Victim Services Division;

C. Section 16‑3‑1430(B)(14) of the S.C. Code is amended to read:

 (14) three representatives appointed by the State Office of Victim Assistancechair of the Victim Services Coordinating Council for a term of two years and until their successors are appointed and qualified for each of the following categories:

 (a) one representative of university or campus services;

 (b) one representative of a statewide child advocacy organization; and

 (c) one crime victim; and

SECTION 5. Section 16‑3‑1510(3) of the S.C. Code is amended to read:

 (3) “Criminal offense” means an offense against the person of an individual when physical or psychological harm occurs, or against the property of an individual when the value of the property is stolen, damaged, or destroyed, or the cost of the damage to the property is in excess of one thousand dollars. This includes both common law and statutory offenses, the offenses contained in Sections 16‑25‑20, 16‑25‑30, 16‑25‑50, 56‑5‑1210, 56‑5‑2910, 56‑5‑2920, 56‑5‑2930, 56‑5‑2945, and the common law offense of attempt, punishable pursuant to Section 16‑1‑80. However, “criminal offense” specifically excludes the drawing or uttering of a fraudulent check or an offense contained in Title 56 that does not involve personal injury or death.

 For purposes of this article, a victim of any misdemeanor or felony under state law must be notified of or provided with the information required by this section. The terms “crime”, “criminal conduct”, “charge”, or any variation of these terms as used in this article mean all misdemeanors and felonies under state law except the crimes the General Assembly specifically excludes from the notification provisions contained in this article.

SECTION 6. Section 17-25-45(C) of the S.C. Code is amended to read:

 (C) As used in this section:

 (1) “Most serious offense” means:

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| 67 | 16-1-40 | Accessory, for any offense enumerated in this item |
| 8 | 16-1-80 | Attempt, for any offense enumerated in this item |
| 9 | 16-3-10 | Murder |
| 10 | 16-3-29 | Attempted Murder |
| 11 | 16-3-50 | Voluntary manslaughter |
| 12 | 16-3-85(A)(1) | Homicide by child abuse |
| 13 | 16-3-85(A)(2) | Aiding and abetting homicide by child abuse |
| 14 | 16-3-210 | Lynching, First degree |
| 15 | 16-3-210(B) | Assault and battery by mob, First degree |
| 16 | 16-3-620 | Assault and battery with intent to kill |
| 17 | 16-3-652 | Criminal sexual conduct, First degree |
| 18 | 16-3-653 | Criminal sexual conduct, Second degree |
| 1920212223242526 | 16-3-655 | Criminal sexual conduct with minors, except where evidence presented at the criminal proceeding and the court, after the conviction, makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct where the victim was younger than the actor, as contained in Section 16-3-655(3) |
| 2728 | 16-3-656 | Assault with intent to commit criminal sexual conduct, First and Second degree |
| 29 | 16-3-910 | Kidnapping |
| 30 | 16-3-920 | Conspiracy to commit kidnapping |
| 31 | 16-3-1075 | Carjacking |
| 32 | 16-3-2020 | Trafficking in persons |
| 33 | 16-11-110(A) | Arson, First degree |
| 34 | 16-11-311 | Burglary, First degree |
| 35 | 16-11-330(A) | Armed robbery |

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| 1 | 16-11-330(B) | Attempted armed robbery |
| 234 | 16-11-540 | Damaging or destroying building, vehicle, or other property by means of explosive incendiary, death results |
| 5 | 24-13-450 | Taking of a hostage by an inmate |
| 67 | 25-7-30 | Giving information respecting national or state defense to foreign contacts during war |
| 8 | 25-7-40 | Gathering information for an enemy |
| 910 | 43-35-85(F) | Abuse or neglect of a vulnerable adult resulting in death |
| 1112 | 55-1-30(3) | Unlawful removing or damaging of airport facility or equipment when death results |
| 131415 | 56-5-1030(B)(3) | Interference with traffic-control devices or railroad signs or signals prohibited when death results from violation |
| 16 | 58-17-4090 | Obstruction of railroad, death results. |

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 8. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 9. This act takes effect upon approval by the Governor.

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