

South Carolina General Assembly
119th Session, 2011-2012

A227, R264, S300

STATUS INFORMATION

General Bill

Sponsors: Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford

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Introduced in the Senate on January 11, 2011

Introduced in the House on March 27, 2012

Last Amended on June 5, 2012

Passed by the General Assembly on June 7, 2012

Governor's Action: June 18, 2012, Signed

Summary: Department of Juvenile Justice

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/15/2010	Senate	Prefiled
12/15/2010	Senate	Referred to Committee on Judiciary
1/11/2011	Senate	Introduced and read first time (Senate Journal-page 134)
1/11/2011	Senate	Referred to Committee on Judiciary (Senate Journal-page 134)
1/9/2012	Senate	Referred to Subcommittee: Sheheen (ch), Knotts, Campsen, Lourie, Campbell
3/7/2012	Senate	Committee report: Favorable Judiciary (Senate Journal-page 10)
3/14/2012	Senate	Read second time (Senate Journal-page 33)
3/14/2012	Senate	Roll call Ayes-38 Nays-0 (Senate Journal-page 33)
3/20/2012	Senate	Read third time and sent to House (Senate Journal-page 77)
3/27/2012	House	Introduced and read first time (House Journal-page 12)
3/27/2012	House	Referred to Committee on Judiciary (House Journal-page 12)
5/30/2012	House	Committee report: Favorable with amendment Judiciary (House Journal-page 34)
6/5/2012	House	Amended (House Journal-page 92)
6/5/2012	House	Read second time (House Journal-page 92)
6/5/2012	House	Roll call Yeas-109 Nays-0 (House Journal-page 94)
6/6/2012	House	Read third time and returned to Senate with amendments (House Journal-page 36)
6/7/2012	Senate	Concurred in House amendment and enrolled (Senate Journal-page 73)
6/7/2012	Senate	Roll call Ayes-42 Nays-0 (Senate Journal-page 73)
6/12/2012		Ratified R 264
6/18/2012		Signed By Governor
6/20/2012		Effective date 06/18/12
6/26/2012		Act No. 227

VERSIONS OF THIS BILL

[12/15/2010](#)

[3/7/2012](#)

[5/30/2012](#)

[6/5/2012](#)

(A227, R264, S300)

AN ACT TO AMEND SECTION 63-19-1440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF JUVENILES TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO ALLOW A JUVENILE WHO IS TEMPORARILY COMMITTED TO ITS CUSTODY, AFTER BEING ADJUDICATED FOR A STATUS OFFENSE, MISDEMEANOR OFFENSE, OR A PROBATION VIOLATION OR CONTEMPT, TO UNDERGO A COMMUNITY EVALUATION WHILE RESIDING IN HIS HOME OR IN HIS HOME COMMUNITY WITH CERTAIN SAFEGUARDS AND EXCEPTIONS; AND BY ADDING SECTION 63-19-1835 SO AS TO PROVIDE THAT THE DEPARTMENT OF JUVENILE JUSTICE MAY GRANT UP TO A TEN-DAY REDUCTION EACH MONTH TO PROBATIONERS AND PAROLEES WHO ARE COMPLIANT WITH THE TERMS OF THEIR SUPERVISION.

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

Department of Juvenile Justice, community evaluations

SECTION 1. Section 63-19-1440(C) of the 1976 Code is amended to read:

“(C) The court, before committing a child as a delinquent or as a part of a sentence including commitments for contempt, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than forty-five days for evaluation. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition. The department is authorized to allow any child adjudicated delinquent for a status offense, a misdemeanor offense, or violation of probation or contempt for any offense who is temporarily committed to the department’s custody for a residential evaluation, to reside in that child’s home or in his home community while undergoing a community evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community

evaluation of the child must not be conducted because the child presents an unreasonable flight or public safety risk to his home community. The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:

(1) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;

(2) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or

(3) receives a determinate commitment sentence not to exceed ninety days."

Department of Juvenile Justice, compliance reductions for probationers and parolees

SECTION 2. Article 17, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-1835. The department may grant up to a ten-day reduction of the probationary or parole term to probationers and parolees who are under the department's supervision for each month they are compliant with the terms and conditions of their probation or parole order."

Time effective

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.
