

SECTION 17-15-20. Conditions of appearance recognizance or appearance bond; discharge, validity, relief of surety.

(A) An appearance recognizance or appearance bond must be conditioned on the person charged personally appearing before the court specified to answer the charge or indictment and to do and receive what is enjoined by the court, and not to leave the State, and be of good behavior toward all the citizens of the State, or especially toward a person or persons specified by the court.

(B) Unless a bench warrant is issued, an appearance recognizance or an appearance bond is discharged upon adjudication, a finding of guilt, a deferred disposition, or as otherwise provided by law. An appearance bond is valid for a period of three years from the date the bond is executed for a charge triable in circuit court and eighteen months from the date the bond is executed for a charge triable in magistrates or municipal court. In order for the surety to be relieved of liability on the appearance bond when the time period has run, the surety must provide sixty days written notice to the solicitor, when appropriate, and the respective clerk of court, chief magistrate, or municipal court judge with jurisdiction over the offense of the surety's intent to assert that the person is no longer subject to a valid appearance bond. If the appropriate court determines the person has substantially complied with his court obligations and the solicitor does not object within the required sixty days by demanding a hearing, the court shall order the appearance bond converted to a personal recognizance bond and the surety relieved of liability.

HISTORY: 1962 Code Section 17-300.1; 1969 (56) 383; 2012 Act No. 115, Section 1, eff February 1, 2012.

Editor's Note

2012 Act No. 286, Sections 4, 5, provide as follows:

"SECTION 4. The provisions of Section 1 of Act 115 of 2012 which amended Section 17-15-20 of the 1976 Code and allow sureties to be relieved of an appearance bond under certain designated circumstances are retroactive and apply to all existing and future appearance bonds.

"SECTION 5. Except as provided in SECTION 4, 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founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.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 17-15-30. Matters to be considered in determining conditions of release; contempt.

(A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court may, on the basis of the following information, consider the nature and circumstances of an offense charged and the charged person's:

- (1) family ties;
- (2) employment;
- (3) financial resources;
- (4) character and mental condition;
- (5) length of residence in the community;

(6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) A court shall consider:

(1) a person's criminal record;

(2) any charges pending against a person at the time release is requested;

(3) all incident reports generated as a result of an offense charged;

(4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and

(5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(C)(1) Prior to or at the time of a hearing, the arresting law enforcement agency shall provide the court with the following information:

(a) a person's criminal record;

(b) any charges pending against a person at the time release is requested;

(c) all incident reports generated as a result of the offense charged; and

(d) any other information that will assist the court in determining conditions of release.

(2) The arresting law enforcement agency shall inform the court if any of the information is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's hearing. Notwithstanding the provisions of this item, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty-four hours after the arrest.

(D) A court hearing these matters has contempt powers to enforce the provisions of this section.

HISTORY: 1962 Code Section 17-300.2; 1969 (56) 383; 2005 Act No. 106, Section 8, eff January 1, 2006; 2008 Act No. 280, Section 16, eff June 4, 2008; 2010 Act No. 273, Section 9, eff June 2, 2010; 2012 Act No. 286, Section 1, eff June 29, 2012; 2014 Act No. 144 (S.19), Section 2, eff April 7, 2014; 2015 Act No. 58 (S.3), Pt III, Section 10, eff June 4, 2015.

Effect of Amendment

2014 Act No. 144, Section 2, substituted "person" for "accused" throughout; in subsection (A), substituted "the following information" for "available information"; in subsection (B), deleted ", if available" following "shall consider"; added subsection (B)(5), relating to the state gang database; in subsection (C)(1), deleted ", if available" following "following information"; and made other nonsubstantive changes.

2015 Act No. 58, Section 10, in (A), inserted "or an individual"; and in (C)(2), added the last two sentences relating to Chapter 25, Title 16.

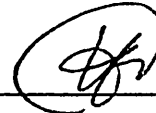
PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY FINANCE DEPT.

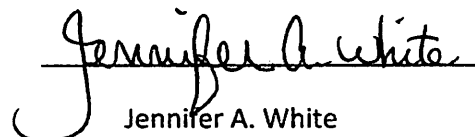
IN RE: PUBLIC HEARING ON COUNTY BUDGET FOR 2016/2017 FISCAL YEAR

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL** , a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **OCONEE COUNTY, PICKENS COUNTY and the PENDLETON area of ANDERSON COUNTY** and the notice (of which the annexed is a true copy) was inserted in said papers on 05/28/2016 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
05/31/2016



Jennifer A. White
Notary Public for South Carolina
My commission Expires: 07/01/2024



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Notice of Public Hearing
 State of South Carolina
 County Of Oconee
 Before the Oconee County Council

Notice is hereby given that, pursuant to law, a hearing will be held in the Board Room of the School District of Oconee County, at 414 South Pine Street, Walhalla, SC, commencing at 6:00 p.m. on Tuesday, June 14, 2016 on the following matter:

The Fiscal Year 2016-2017 County Budget Ordinance No. 2016-01, School District 2016-02, and Keowee Key Fire District 2016-03 for Oconee County, South Carolina.

The following budget is proposed:

	Current Amended Year 2015-2016		Proposed Year 2016-2017		Percent Change
	Expenditures	Revenues	Expenditures	Revenues	
County General Operations	\$ 43,412,357	\$ 43,412,357	\$ 44,377,754	\$ 44,377,754	2%
Capital Lease Purchase	4,111,551	4,111,551	-	-	0%
Economic Development Capital Projects Fund	2,912,000	2,912,000	1,133,000	1,133,000	-62%
Special Revenue Funds	706,320	706,320	1,238,686	1,238,686	75%
Tri-County Tec Operations	1,044,835	1,044,835	1,068,000	1,068,000	2%
County Debt Service Fund	3,046,679	3,046,679	2,095,210	2,095,210	-31%
Emergency Services Protection Fund	1,702,000	1,702,000	1,491,000	1,491,000	-12%
Bridge and Culvert Capital Project Fund	1,725,000	1,725,000	450,000	450,000	-74%
Road Maintenance Fund	1,282,600	1,282,600	1,701,500	1,701,500	33%
Enterprise Funds	6,565,919	6,565,919	7,277,962	7,277,962	11%
Total County	\$ 66,429,251	\$ 66,429,251	\$ 60,831,112	\$ 60,831,112	-8%
School District Operations	\$ 61,171,902	\$ 61,171,902	\$ 62,783,211	\$ 62,783,211	3%
School District Debt Service	17,142,479	17,142,479	16,312,256	16,312,256	-5%
Total School District	\$ 78,314,381	\$ 78,314,381	\$ 79,095,477	\$ 79,095,477	1%
Special Purpose Tax District - Keowee Key Fire District	\$ 688,200	\$ 688,200	\$ 688,200	\$ 688,200	1%
Total Special Purpose Tax District	\$ 688,200	\$ 688,200	\$ 688,200	\$ 688,200	1%
Totals	\$ 145,431,842	\$ 145,431,842	\$ 140,624,789	\$ 140,624,789	-3%

	Current Year 2015-2016		Proposed Year 2016-2017	
	Millage Rate In Dollars	Millage Rate	Millage Rate In Dollars	Millage Rate
County Operations	\$ 31,954,602	57.6	\$ 33,190,302	59.1
Economic Development Fund	\$ 1,114,527	2.2	\$ 1,135,965	2.2
Emergency Services Protection Fund	\$ 1,322,713	2.9	\$ 1,355,457	2.9
Bridge and Culvert Capital Project Fund	506,803	1	516,357	1
Road Maintenance Fund	1,063,866	2.1	1,084,350	2.1
County Bonds	\$ 3,029,818	6	\$ 3,707,250	6
Total County	\$ 39,002,019	71.8	\$ 40,989,761	73.3
School District Operations	\$ 60,548,253	110.1	\$ 62,783,211	110.1
School District Bonds	16,270,691	31	16,683,724	31
Total School District	\$ 76,818,944	141.1	\$ 79,466,935	141.1
Tri-County Tec Operations	\$ 1,063,866	2.1	\$ 1,084,350	2.1
Total Tri-County Tec	\$ 1,063,866	2.1	\$ 1,084,350	2.1
Special Purpose Tax District - Keowee Fire Tax District	\$ 684,158	14.5	\$ 675,537	14.5
Total Special Purpose Tax District	\$ 684,158	14.5	\$ 675,537	14.5
Grand Total Mills	\$ 117,566,987	225.5	\$ 122,196,583	231

Members of the general public are invited to attend the public hearing. The proposed budget may be examined weekdays in the Oconee County Finance Department or on the County's website at www.oconeesc.com.

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Road Maintenance Fund	1,063,866	2.1	1,084,350	2.1
	\$ 35,962,401	65.8	\$ 37,282,511	67.3
County Bonds	\$ 3,039,618	6	\$ 3,707,250	6
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