**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4649**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bannister, Carter, Leber, Vaughan, West, Elliott, Williams, Henegan, Caskey, Erickson, Bradley and Rivers

Document Path: LC-0512WAB24.docx

Introduced in the House on January 9, 2024

Introduced in the Senate on April 2, 2024

Last Amended on March 28, 2024

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

Summary: Private security services in public schools

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/14/2023 House Prefiled

 12/14/2023 House Referred to Committee on **Education and Public Works**

 1/9/2024 House Introduced and read first time (House Journal‑page 110)

 1/9/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 110)

 1/9/2024 House Member(s) request name added as sponsor: Vaughan, West

 1/10/2024 Scrivener's error corrected

 1/25/2024 House Member(s) request name added as sponsor: Elliott

 2/29/2024 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 2)

 3/1/2024 Scrivener's error corrected

 3/6/2024 House Member(s) request name added as sponsor:
 Williams, Henegan

 3/6/2024 House Debate adjourned (House Journal‑page 60)

 3/7/2024 House Amended (House Journal‑page 31)

 3/7/2024 House Requests for debate-Rep(s). Ott, Bamberg, Felder, Ligon, Henderson-Myers, Gilliard, King, Kirby, Henegan, Clyburn, Pendarvis, Jefferson, Dilliard (House Journal‑page 31)

 3/19/2024 House Member(s) request name added as sponsor: Caskey

 3/20/2024 House Debate adjourned (House Journal‑page 84)

 3/21/2024 House Debate adjourned (House Journal‑page 54)

 3/26/2024 House Member(s) request name added as sponsor:
 Erickson, Bradley

 3/27/2024 House Debate adjourned (House Journal‑page 40)

 3/28/2024 House Member(s) request name added as sponsor: Rivers

 3/28/2024 House Amended (House Journal‑page 101)

 3/28/2024 House Read second time (House Journal‑page 101)

 3/28/2024 House Roll call Yeas-103 Nays-0 (House Journal‑page 102)

 3/28/2024 House Unanimous consent for third reading on next legislative day (House Journal‑page 104)

 3/29/2024 House Read third time and sent to Senate (House Journal‑page 7)

 4/2/2024 Senate Introduced and read first time (Senate Journal‑page 13)

 4/2/2024 Senate Referred to Committee on **Education** (Senate Journal‑page 13)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4649&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20231214.docx)

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20240110.docx)

[02/29/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20240229.docx)

[03/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20240301.docx)

[03/07/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20240307.docx)

[03/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4649_20240328.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

March 28, 2024

H. 4649

Introduced by Reps. Bannister, Carter, Leber, Vaughan, West, Elliott, Williams, Henegan, Caskey, Erickson, Bradley and Rivers

S. Printed 03/28/24--H.

Read the first time January 09, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59‑19‑275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS with more than fifteen thousand students MAY USE CERTAIN SECURITY PERSONNEL TO PROMOTE SAFETY AND SECURITY ON SCHOOL PREMISES IF LICENSED AS A PROPRIETARY SECURITY BUSINESS, AND TO PROVIDE DISTRICTS remain obligated to use school resource officers as otherwise provided by law; BY AMENDING SECTION 40‑18‑60, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSURE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40‑18‑80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATION, SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40‑18‑140, RELATING TO EXCEPTIONS FROM PRIVATE SECURITY AND INVESTIGATION AGENCY LICENSURE REQUIREMENTS, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCludED FROM THESE REQUIREMENTS.

 Amend Title To Conform

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

SECTION 1. Article 1, Chapter 19, Title 59 of the S.C. Code is amended by adding:

 Section 59‑19‑275. Each public school district with more than fifteen thousand students may use the services of personnel who are armed or delegated arrest authority to work on the premises of the district to promote safety and security on the premises, provided the district shall obtain proprietary security business licensure as provided in Section 40‑18‑60 and Section 40‑18‑80 and otherwise complies with the applicable requirements of those sections. The provisions of this section do not affect any requirement that a school district use the services of a school resource officer as provided by law. A school district by obtaining a proprietary security business license may enhance school security and safety but shall not supplant the use of a school resource officer in a school.

SECTION 2. Section 40‑18‑60(A) of the S.C. Code is amended to read:

 (A) An employer who utilizesuses a person who is armed, uniformed, or has been delegated arrest authority for work on the employer's premises in connection with the affairs of the employer must make application to SLED for a proprietary security business license and pay an annual license fee, set by SLED regulation.

 (1) If the applicant is an association or corporation, then the chief executive officer of the association or corporation must be the applicant or must designate in writing the corporate officer or principal who is the applicant.

 (2) If the applicant is a partnership, then all partners must complete an application form.

 (3) If the applicant is a public school district, then the board of trustees must designate in writing that the superintendent is the applicant.

 (4) The application for license must be made, under oath, on a form approved by SLED. The application must state the applicant's full name, age, date and place of birth, current residence address, residence addresses for the past ten years, employment for the past ten years, including names and addresses of employers, the applicant's current occupation with the name and address of the current employer, the date and place of any arrests, any convictions for violations of federal or state laws, and any additional information as SLED may require. Each applicant must submit with the application one complete set of the applicant's fingerprints on forms specified and furnished by SLED and one color photograph of the applicant's full face, without head covering, taken within six months of the application.

SECTION 3. Section 40‑18‑80(A) of the S.C. Code is amended to read:

 (A) Persons performing the duties of security officers must also obtain valid security officer registration certificates. Except as provided in Section 40‑18‑90, a licensee may not authorize a person to perform the duties of a security officer unless that person holds a valid security officer registration certificate or has applied for a security officer registration certificate and meets the requirements of Section 40‑18‑80(A)(2). A contract or proprietary security business licensee must verify that each security officer immediately upon hiring possesses a valid security officer registration certificate or has applied for one. The licensee may apply and pay the fee for the security officer registration certificate or may require the person to be employed as a security officer to apply and pay the fee. For purposes of the penalties provisions of this chapter, the licensee and the person to be employed as a security officer are both responsible for ensuring that the person performing duties of a security officer is registered or has made application to be registered.

 (1) The application must be made on forms approved by SLED and, under oath, the applicant must furnish the applicant's full name, age, date and place of birth, current residence address, residence addresses for the past ten years, employment for the past ten years, including names and addresses of employers, the applicant's current occupation with the name and address of the current employer, the date and place of any arrests, any convictions for violations of federal or state laws, and any additional information as SLED requires. The application must be accompanied by one set of fingerprints of the applicant and one photograph of the applicant in color, full face and without head covering, taken within six months prior to the application and certified results of a SLED‑approved drug screen.

 (2) Pending issuance of a registration certificate, a security officer may perform the duties of a security officer for up to thirty days after receipt by SLED of his application for registration; however, a person authorized to perform duties under this section has no arrest authority and must not carry a firearm until SLED issues a registration certificate. If SLED does not issue a registration certificate within thirty days of receipt of the application, a security officer must cease performing all security‑related activities.

 (3) SLED shall implement training requirements for the initial registration and renewal registration of applicants. These training requirements may impose additional training for persons working as security officers in the school setting to enhance accountability and compliance. School district applicants must not employ any person as a security officer in a school unless the person is at least twenty-one years old, and must also have:

 (a) a full‑time division solely dedicated to security and emergency management;

 (b) a written agreement with the local law enforcement agency for shared, consistent joint training and continuous education in firearms, defensive tactics, active shooter or assailant scenarios, legal updates, and other areas addressed by the local law enforcement agency; and

 (c) school district security officers recertified every two years.

 (3)(4) Upon being satisfied of the suitability of the applicant for employment and the applicant's successful completion of an approved training program, SLED must register the employee and notify the licensee.

 (4)(5) SLED may issue or renew a registration certificate to a person who:

 (a) is employed by a licensed security business;

 (b) is at least eighteen years of age;

 (c) is a citizen of the United States;

 (d) has not been convicted of a felony or crime involving moral turpitude;

 (e) is of good moral character;

 (f) does not unlawfully use drugs;

 (g) does not use alcohol to such a degree as to affect adversely his ability to perform competently the duties of a security company licensee, has not been adjudicated an incapacitated person without being restored to legal competency, and who has no physical or mental impairment which would prevent him from competently performing the duties of a security company licensee;

 (h) has passed a SLED‑approved pre‑employment drug test;

 (i) has not been discharged from the military service with other than honorable conditions; and

 (j) has not been refused a license under this chapter for any reason other than minimum experience requirements and has not had a license under this chapter revoked or suspended.

 (5)(6) While on duty, a registered person must have his registration certificate in possession.

 (6)(7) A registered person who is arrested must report the arrest to SLED within seventy‑two hours of the arrest.

 (7)(8) The licensee must notify SLED within ten days of the termination or hiring of a registered security officer.

 (8)(9) Registration is valid for one year; however, the registered person may perform the duties of a security officer only while employed by a person licensed under this chapter to provide security services or while working in a self‑employed capacity provided that the officer is also a licensee.

 (9)(10) Application for renewal of registration must be made on a form approved by SLED.

 (10)(11) The initial and annual renewal registration fee for an employee registered in accordance with this section must be set by SLED by regulation.

SECTION 4. Section 40‑18‑140(1) of the S.C. Code is amended to read:

 (1) an officer or employee of the federal government, or of this State or a political subdivision of either, excluding school districts, or of a municipal corporation while the employee or officer is engaged in the performance of official duties;

SECTION 5. This act takes effect upon approval by the Governor.

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