

## Session 124 - (2021-2022)

### S 0334 General Bill, By McLeod

#### Similar (H 4542)

#### Summary: Transparency in Justice Act

A BILL TO ENACT THE "TRANSPARENCY IN JUSTICE ACT"; TO AMEND SECTION 63-19-2040 OF THE 1976 CODE, RELATING TO THE RELEASE OF THE NAME, IDENTITY, OR PICTURE OF A CHILD UNDER THE JURISDICTION OF THE FAMILY COURT, TO PERMIT THE RELEASE OF THE IDENTITY OF A CHILD UNDER THE JURISDICTION OF THE COURT TO A NEWSPAPER, RADIO, OR TELEVISION STATION IF THE CHILD IS ALLEGED TO HAVE COMMUNICATED A THREAT OF MASS VIOLENCE BY MEANS OF A VIDEO, AUDIO, OR INTERNET-BASED SOCIAL MEDIA COMMUNICATION TO TWO OR MORE PERSONS AND THE CHILD HAS PERSONALLY IDENTIFIED HIMSELF IN THE COMMUNICATION; TO AMEND SECTION 59-24-60 OF THE 1976 CODE, RELATING TO SCHOOL ADMINISTRATORS, TO REQUIRE THAT SCHOOL ADMINISTRATORS MAKE A REASONABLE EFFORT TO CONTACT ALL PARENTS OF STUDENTS WITHIN A REASONABLE TIME PERIOD BUT NOT LATER THAN TWENTY-FOUR HOURS UPON RECEIVING CREDIBLE INFORMATION THAT A PERSON HAS MADE A THREAT OF SERIOUS INJURY TO A PERSON OR PERSONS ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY, OR A THREAT TO SERIOUSLY DAMAGE OR DESTROY SCHOOL PROPERTY; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO ASSAULTS, BY ADDING SECTION 16-3-605, TO PROVIDE THAT IT IS UNLAWFUL TO WILLFULLY CAUSE BODILY INJURY OR DEATH TO A PERSON OR ATTEMPT OR THREATEN TO CAUSE BODILY INJURY OR DEATH THROUGH THE USE OF A FIRE, A FIREARM, A DANGEROUS WEAPON, OR A DESTRUCTIVE DEVICE, BECAUSE OF THE ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, OR NATIONAL ORIGIN OF ANY PERSON AND TO PROVIDE PENALTIES AND DEFINITIONS; TO AMEND SECTION 17-13-20 OF THE 1976 CODE, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST, TO PROVIDE THAT A CITIZEN MAY ONLY ARREST A PERSON IN THE NIGHTTIME AS NECESSARY IF THE PERSON HAS ENTERED A DWELLING HOUSE WITHOUT EXPRESS OR IMPLIED PERMISSION; TO REPEAL SECTION 17-13-10, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST; TO AMEND CHAPTER 13, TITLE 17 OF THE 1976 CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-42, TO PROVIDE THAT IT IS UNLAWFUL FOR A LAW ENFORCEMENT OFFICER TO USE A CHOKEHOLD OR CAROTID HOLD; TO AMEND CHAPTER 13, TITLE 17 OF THE 1976 CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-155, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER SHALL NOT SEEK OR EXECUTE A NO-KNOCK WARRANT; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-45, TO PROVIDE THAT THE CRIMINAL JUSTICE ACADEMY MUST REQUIRE DE-ESCALATION TRAINING AND CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN DE-ESCALATION TRAINING; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE CERTAIN PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM AND MAY ONLY PURCHASE PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM USING STATE OR LOCAL FUNDS AND TO ESTABLISH REPORTING REQUIREMENTS; TO AMEND SECTION 23-23-60 OF THE 1976 CODE, RELATING TO CERTIFICATES OF COMPLIANCE FOR LAW ENFORCEMENT OFFICER CANDIDATES, TO PROVIDE THAT LAW ENFORCEMENT AGENCIES SHALL REPORT INFORMATION RELATING TO CANDIDATE INVOLVEMENT WITH WHITE SUPREMACIST GROUPS; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, TO PROVIDE FOR CIVIL LIABILITY FOR A DEPRIVATION OF RIGHTS BY A LAW ENFORCEMENT OFFICER, AND TO ELIMINATE QUALIFIED IMMUNITY FOR LAW ENFORCEMENT OFFICERS FOR ACTIONS BROUGHT RESULTING FROM A DEPRIVATION OF RIGHTS; AND TO DEFINE NECESSARY TERMS.

12/09/20 Senate Prefiled

12/09/20 Senate Referred to Committee on Judiciary

01/12/21 Senate Introduced and read first time (Senate Journal-page 271)

01/12/21 Senate Referred to Committee on Judiciary (Senate Journal-page 271)