**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4432**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Gilliard

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Introduced in the House on January 12, 2016

Currently residing in the House Committee on **Education and Public Works**

Summary: Body-worn cameras

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2015 House Prefiled

12/3/2015 House Referred to Committee on **Education and Public Works**

1/12/2016 House Introduced and read first time ([House Journal‑page 64](file:///h:\HJ%20Archive\2016\01-12-16.docx))

1/12/2016 House Referred to Committee on **Education and Public Works** ([House Journal‑page 64](file:///h:\HJ%20Archive\2016\01-12-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4432&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/3/2015](file:///p:\pprever\2015-16\4432_20151203.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑380 SO AS TO PROVIDE THAT ALL PUBLIC SCHOOL BUS DRIVERS, CROSSING GUARDS, AND RESOURCE OFFICERS MUST BE EQUIPPED WITH BODY‑WORN CAMERAS, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION AND SCHOOL DISTRICTS.

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

SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑380. (A) For purposes of this section, ‘body‑worn camera’ means an electronic device worn on a person’s body that records both audio and video data.

(B) School districts, under the direction of the State Department of Education, shall implement the use of body‑worn cameras pursuant to guidelines established by the department in subsection (C) for all school bus drivers, school crossing guards, and resource officers. All school bus drivers, school crossing guards, and school resource officers shall wear body‑worn cameras in the course of their employment and in compliance with these guidelines.

(C) Within ninety days after the effective date of this act, the State Department of Education shall develop guidelines for the use of body‑worn cameras by public school bus drivers, school crossing guards, and school resource officers and provide the guidelines to the school districts. The guidelines must include, at a minimum, when body‑worn cameras must be worn and activated, restrictions on the use of body‑worn cameras, and the retention and release of data recorded by body‑worn cameras. The department shall provide the guidelines to all public school districts.

(D) Within sixty days after receipt of guidelines provided in subsection (C), school districts shall develop policies and procedures for the use of body‑worn cameras pursuant to the guidelines and shall submit the policies and procedures to the department for review. The department shall review and approve or disapprove of the policies and procedures within sixty days of receipt. If the department disapproves of the policies and procedures, it shall specify the reasons for the denial in writing to the district. The district shall modify and resubmit the policies and procedures within sixty days.

(E) Within three hundred days after the effective date of this act, the department shall submit a report to the General Assembly which must include recommendations for statutory provisions necessary to ensure the provisions of this section are appropriately and efficiently managed and carried out and the fiscal impact associated with the use of body‑worn cameras as required by this section, updated continuously as necessary.

(F) Nothing in this section prohibits a school district’s use, if any, of body‑worn cameras pursuant to its existing policies and procedures and funding while the district is awaiting receipt of the department’s guidelines and approval of the district’s policies and procedures by the department.

(G) Data recorded by a body‑worn camera is a public record subject to disclosure under the South Carolina Freedom of Information Act.”

SECTION 2. This act takes effect upon approval by the Governor.

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