**South Carolina General Assembly**

124th Session, 2021-2022

**S. 383**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cash

Document Path: l:\s-res\rjc\006scho.kmm.rjc.docx

Introduced in the Senate on January 12, 2021

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

Summary: School trustees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Education**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 293](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 293](file:///h:\sj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\383_20201209.docx)

**A** **BILL**

TO AMEND SECTION 59-19-90(5) OF THE 1976 CODE, RELATING TO THE GENERAL POWERS AND DUTIES OF SCHOOL TRUSTEES, TO PROVIDE THAT A BOARD OF TRUSTEES HAS THE POWER TO OBTAIN A PROPRIETARY SECURITY BUSINESS LICENSE; TO AMEND SECTION 40-18-60(A) OF THE 1976 CODE, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSES, APPLICATIONS, AND RELATED PROVISIONS, TO PROVIDE THAT A MEMBER OF A SCHOOL DISTRICT’S BOARD OF TRUSTEES MUST BE THE APPLICANT IF A SCHOOL DISTRICT APPLIES FOR A LICENSE; TO AMEND SECTION 40-18-140 OF THE 1976 CODE, RELATING TO EXCEPTIONS FROM THE APPLICATION OF PROVISIONS RELATED TO PRIVATE SECURITY AND INVESTIGATION AGENCIES, TO PROVIDE THAT A SCHOOL DISTRICT IS NOT EXCLUDED FROM SUCH APPLICATION.

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

SECTION 1. Section 59-19-90(5) of the 1976 Code is amended to read:

“(5) Control school property. Take care of, manage, and control the school property of the district, including, but not limited to, obtaining a proprietary security business license pursuant to Chapter 18, Title 40;”

SECTION 2. Section 40-18-60(A) of the 1976 Code is amended to read:

“Section 40-18-60. (A) An employer who utilizes 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 school district, then the board of trustees for the school district must designate a member of the board to be 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 40-18-140 of the 1976 Code is amended to read:

“Section 40-18-140. (A) This chapter does not apply to:

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

(2) a person or firm engaged as a consumer reporting agency, as defined by the Federal Fair Credit Reporting Act, when gathering, processing, or reporting information directly related to a credit rating or credit status;

(3) an attorney‑at‑law while in the performance of his duties; or

(4) a person, as defined by Section 38‑1‑20(29), licensed or authorized by the Director of Insurance to transact business within the State, when performing duties directly related to that license or authorization.

(B) Notwithstanding the provisions of subsection (A), a school district is not excluded from the application of this chapter.”

SECTION 4. This act takes effect upon approval by the Governor.

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