**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4404**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J. Moore and Pendarvis

Document Path: l:\council\bills\bh\7463ahb21.docx

Introduced in the House on May 13, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Tasers, law enforcement policies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/13/2021 House Introduced and read first time ([House Journal‑page 38](file:///h:\hj\20210513.docx))

5/13/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 38](file:///h:\hj\20210513.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4404&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[5/13/2021](file:///p:\pprever\2021-22\4404_20210513.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑1‑250, SO AS TO REQUIRE STATE AND LOCAL LAW ENFORCEMENT AGENCIES TO ADOPT AND MAINTAIN A WRITTEN POLICY REGARDING THE USE OF TASER DEVICES OR STUN GUNS THAT MEETS OR EXCEEDS THE MODEL POLICY TO BE DEVELOPED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL; TO REQUIRE LAW ENFORCEMENT OFFICERS TO DOCUMENT EACH USE OF A TASER DEVICE OR STUN GUN; TO REQUIRE EACH STATE AND LOCAL LAW ENFORCEMENT AGENCY TO SUBMIT AN ANNUAL REPORT TO THE DIRECTOR OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY DETAILING THE USE OF TASER DEVICES OR STUN GUNS; TO REQUIRE THE DIRECTOR OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO POST THE ANNUAL REPORTS REGARDING TASER DEVICE OR STUN GUN USAGE ON ITS INTERNET WEBSITE; AND TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY PROVIDING GUIDELINES ON THE USE OF TASER DEVICES OR STUN GUNS BY LAW ENFORCEMENT OFFICERS.

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

SECTION 1. Chapter 1, Title 23 of the 1976 Code is amended by adding:

“Section 23‑1‑250.(A)(1) Each state or local law enforcement agency that equips or authorizes its officers to use a taser device or stun gun shall:

(a) not later than January 1, 2023, adopt and maintain a written policy regarding the use of taser devices or stun guns that meets or exceeds the model policy developed by the South Carolina Law Enforcement Training Council pursuant to subsection (C);

(b) require law enforcement officers to document each use of a taser device or stun gun in use‑of‑force reports;

(c) not later than January fifteenth following each calendar year in which a taser device or stun gun is used, prepare an annual report using the form developed and promulgated by the South Carolina Law Enforcement Training Council pursuant to subsection (C) that details the use of taser devices or stun guns by law enforcement officers employed by the agency and includes:

(i) data downloaded from the taser devices or stun guns after their use;

(ii) data compiled from the use‑of‑force reports; and

(iii) statistics on each use of a taser device or stun gun, including, but not limited to:

(aa) the race and gender of each person on whom the taser device or stun gun was used, provided the identification of these characteristics must be based on the observation and perception of the police officer that used the taser device or stun gun;

(bb) the number of times the taser device or stun gun was activated and used on the person;

(cc) the injury, if any, suffered by the person against whom the taser device or stun gun was used; and

(dd) if the taser device or stun gun that was used had different usage modes, the mode used; and

(d) not later than January 1, 2024, and annually thereafter, submit the report to the Director of the South Carolina Criminal Justice Academy.

(2) Not later than January 1, 2024, and annually thereafter, a state or local law enforcement agency that does not equip or authorize its law enforcement officers to use a taser device or stun gun shall submit a report to the Director of the South Carolina Criminal Justice Academy stating that the agency does not equip or authorize its officers to use a taser device or stun gun.

(B) The Director of the South Carolina Criminal Justice Academy shall post the annual reports submitted pursuant to subsection (A)(1) on its Internet website.

(C) Not later than January 1, 2023, the South Carolina Law Enforcement Training Council shall develop and promulgate:

(1) a model policy that provides guidelines on the use of a taser device or stun gun by a law enforcement officer; and

(2) a standardized form for reporting the use of taser devices or stun guns pursuant to subsection (A)(1).”

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

‑‑‑‑XX‑‑‑‑