**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4716**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Henderson-Myers, Hosey and Clyburn

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Introduced in the House on January 9, 2024

Currently residing in the House

Summary: Wiretapping, all parties

**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 **Judiciary**

 1/9/2024 House Introduced and read first time (House Journal‑page 131)

 1/9/2024 House Referred to Committee on **Judiciary** (House Journal‑page 131)

 1/16/2024 Scrivener's error corrected

 2/7/2024 House Member(s) request name added as sponsor: Hosey,
 Clyburn

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**VERSIONS OF THIS BILL**

[12/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4716_20231214.docx)

[01/16/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4716_20240116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17‑30‑30, RELATING TO THE INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS BY EMPLOYEES OF THE FEDERAL COMMUNICATIONS COMMISSION AND BY PERSONS ACTING UNDER COLOR OF LAW OR OTHERWISE, SO AS TO PROVIDE INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS BY PERSONS IS LAWFUL IF ALL PARTIES CONSENT PRIOR TO THE INTERCEPTION.

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

SECTION 1. Section 17‑30‑30 of the S.C. Code is amended to read:

 Section 17‑30‑30. (A) It is lawful under this chapter for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the commission in the enforcement of 47 U.S.C. Chapter 5, to intercept a wire, oral, or electronic communication transmitted by radio or to disclose or use the information thereby obtained.

 (B) It is lawful under this chapter for a person acting under color of law to intercept a wire, oral, or electronic communication, wherewhen the person is a party to the communication or oneif all of the parties to the communication hashave given prior consent to the interception.

 (C) It is lawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication wherewhen the person is a party to the communication or where oneif all of the parties to the communication hashave given prior consent to the interception.

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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